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NWT Plain Talk



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Plain Talk

On Land and Self-government



Tłıchǫ Government Celebrates Five Years

Five years may be a long time for some things, but it is barely the blink of an eye in the history of a people and a government. In only five years, the Tłıchǫ have set up both political and administrative structures for their government, worked to implement the Tłıchǫ Constitution and established a law-making process. They have also created a Tłıchǫ public service, reorganized the assets and liabilities of the previous bands and the corporations they owned, developed communications tools, and the list goes on.

Today the Tłıchǫ Government has the power to pass and enforce its own laws, enter into contracts, receive tax revenues and manage rights and benefits for the Tłıchǫ citizens. Among other things, the Tłıchǫ Government is responsible for managing Tłıchǫ-owned lands and resources, managing wildlife harvesting on Tłıchǫ Lands and for designing and delivering education in Tłıchǫ language and culture.

The head office for the Tłıchǫ Government is in Behchokǫ and more than seventy Tłıchǫ Government employees are spread across all four Tłıchǫ communities. This budding Tłıchǫ public service is responsible for managing the day-to-day operations of the Tłıchǫ Government, including four departments: Finance; Human resources; Lands; and Language and Culture, including the management and delivery of programs and services under these departments.

Of course, the world did not stand still around them to allow the Tłıchǫ to focus on the important task of building a government. All the while, local and national realities continued to require the attention and action of Tłıchǫ leaders and members. The economy took a downturn, there were concerns about the decline in caribou to deal with, and the political landscape of the Northwest Territories (NWT) and Canada continued to change.

As John B. Zoe explains, becoming a government is not a series of steps to check off a list, it is an evolution, a journey in its own right.

Zoe is the Senior Advisor to the Tłıchǫ Government and the man who led the Tłıchǫ negotiations team for the *Tłıchǫ Agreement* which created the Tłıchǫ Government in 2005. He is both proud of the Tłıchǫ people's accomplishments to date and realistic about the work that remains. "One thing I tell people a lot is that we are treading on new ground and it's not going to be perfect at the beginning. But, if we have the will to make it work, that's the motivation that we need. We can't be stagnant. We need to roll with the punches and keep moving forward."

It is work that he says all Tłıchǫ have a role in: "We have to be reactive to our empowerment."

continued on page 2...



On August 4, 2005, the Tłıchǫ Agreement came into effect. On that day, the Tłıchǫ people took on new roles as a government and land owners. *Plain Talk* checks in with Senior Advisor John B. Zoe following the five-year anniversary of the Tłıchǫ Government to take stock and look forward.

In this Issue:

Tłıchǫ Government
Celebrates Five Years

An overview and update:
Self-government
negotiations in the Sahtu

A treaty-making timeline
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Winter 2011

The purpose of our newsletter is to keep you informed on the progress of land and self government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of Indian and Northern Affairs Canada (INAC), we hope you will find our newsletter informative and easy to read.

Canada



Still striving to be “strong like two people”

continued from front page...

Throughout the interview, Zoe comes back to the fundamental principles that have always been at the heart of the Tłıchǫ people’s drive for self-government: language, culture and way of life. He explains how these principles, and the imperative of respecting Tłıchǫ history and tradition, can co-exist with the principles and demands of modern government.

He explains that in order to remain true to itself and its history the Tłıchǫ Government needs to allow everyone to play the role that is right for them in this new government. Some will play more formal roles as politicians or government employees; others will do their part by preserving language, culture and way of life in other ways. “Governance is about each of us recognizing our own ability to teach our own young people.”

Looking forward, Zoe says engaging youth in governance is a key priority.

“It’s important to reach the young people because they are our aspiring leaders. We need to make room for them,” he says. He adds that these aspiring leaders will need to understand their history as well.

“It is very important for future leadership to understand how we came to be, how the system works and how the structure is set up. They also need to understand where their role is to ensure this [government] is continually evolving and the decisions they will make are going to have some impact.”

True to the importance the Tłıchǫ have always placed on education, Zoe talks of eventually building Tłıchǫ public service training that will provide an opportunity for Tłıchǫ public servants to develop their skills.

It seems the building blocks are already being put in place. What started as a type of orientation course for Tłıchǫ Government employees has evolved into a high school curriculum project that will be piloted in classrooms this year.

“The idea of Tłıchǫ Government is language, culture and way of life, so it’s important to develop the curriculum for understanding ‘self’ and the vision that came before (the Tłıchǫ Government),” explains Zoe. He adds that the curriculum is part of a broader desire to “prepare young people for operating within a greater society without having to lose who they are.”

Zoe also talks about the challenge of communicating with Tłıchǫ Citizens and the public at large. Even on this front the Tłıchǫ Government is putting the tools in place. The Tłıchǫ Government website (www.Tlıcho.ca) will continue to be a focus for communications, but the Tłıchǫ Government is also taking advantage of social media. Zoe says they recently launched Facebook page already has almost 900 friends. The Tłıchǫ Government provides regular updates on the site and Zoe personally checks in on a daily basis.

The Tłıchǫ have also opened themselves to the world in other ways. They recently worked with the History Channel in the United States which produced an hour-long documentary called “Tłıchǫ Nation”. Zoe says the documentary has helped motivate Tłıchǫ people and let them know that “it’s okay to be themselves” and that “what they have is important”. 🐾

The Tłıchǫ Agreement in brief:

Tłıchǫ Government was created in 2005 by the *Tłıchǫ Agreement* negotiated between the Dogrib Treaty 11 Council, the Government of the Northwest Territories (GNWT) and the Government of Canada. It was the first agreement in the NWT to combine a land claim and self-government.

Other highlights of the agreement:

- Ownership of a 39,000-square-kilometer block of land, including surface and sub-surface rights
- Law-making authority over lands and resources on Tłıchǫ Lands
- Establishment of the Wekeezhi Land and Water Board and the Wekeezhi Renewable Resources Board
- A share of mineral royalties from the whole Mackenzie Valley

Overview and update

Self-government negotiations in the Sahtu

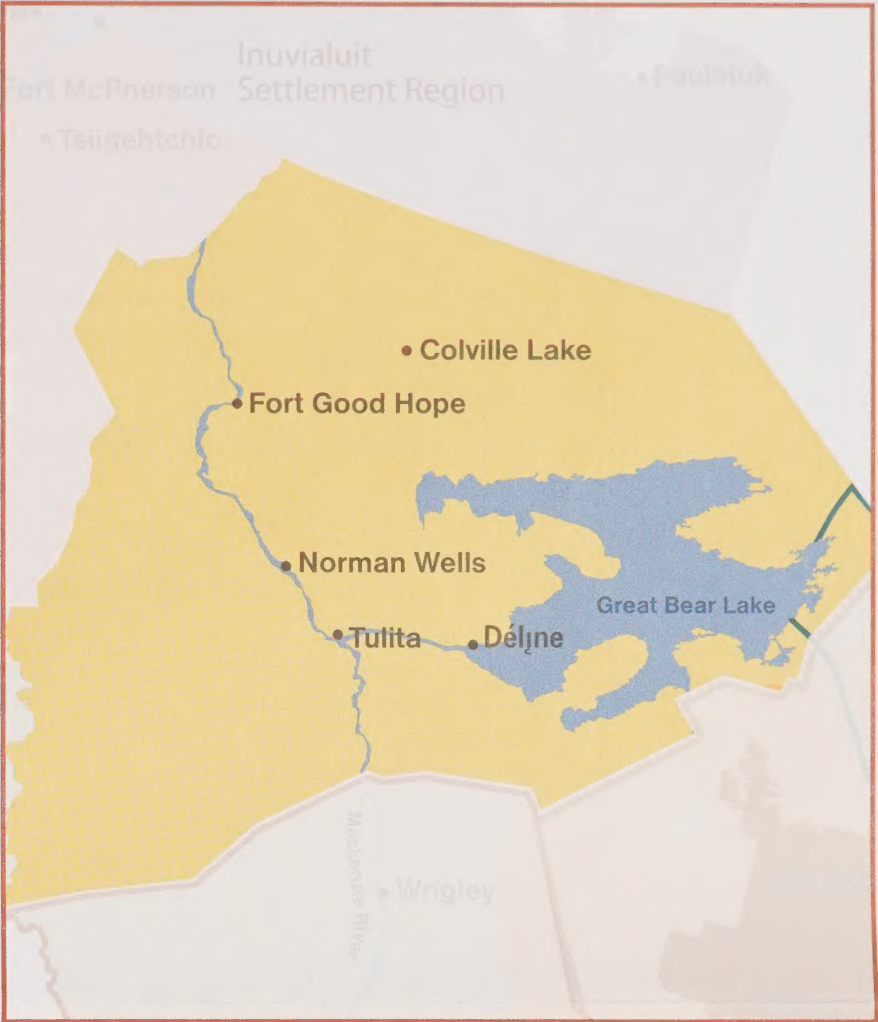
In the NWT, there are Aboriginal groups who are negotiating land, resource and governance at the same time. In the Inuvialuit, Gwich'in and Sahtu regions, however, land and resource issues were resolved in the 1980s and 1990s, and self-government is now being negotiated as a second step.

In the Sahtu region, the Government of Canada and representatives of the Dene and Métis of the five Sahtu communities signed the Sahtu Dene and Metis Comprehensive Land Claim Agreement. This agreement settled the Dene and Métis claims related to lands and resources in the region. The land claim agreement also stated that self-government would be negotiated with each Sahtu community when requested.

Today, all five Sahtu communities are at different stages of community-based self-government negotiations.

Self-government negotiations all follow a similar process. First the parties reach an agreement on how negotiations will proceed. This is referred to either as a “Process and Schedule Agreement” or a “Framework Agreement”. Then, they work on an Agreement-in-Principle (AIP), which contains all the basics elements of an agreement. Then, based on the AIP, the parties negotiate the detail required for a Final Agreement. The parties also negotiate financial agreements, an implementation plan and a tax treatment agreement. The final agreement must be approved (ratified) by all parties.

Below is a brief update on the status of negotiations in the five Sahtu communities. 🐾



Délı̨ne

Who is negotiating?
Délı̨ne First Nation Band, the Délı̨ne Land Corporation, the Government of the Northwest Territories and the Government of Canada.

Status of negotiations
Self-government negotiations began in 1996. An AIP was signed in 2003. The parties have almost completed negotiation of the Délı̨ne Final Self-Government Agreement (FSGA) and are working on the financial agreement and implementation plan.

Once approved by all parties, the FSGA would create the Délı̨ne Got'ı̨ne Government (DGG) and describe in detail how the DGG will work and what powers it will have.

Tulita

Who is negotiating
The Tulita Yamoria Community Secretariat (representing the Sahtu Dene and Metis of Tulita), the Government of the Northwest Territories and the Government of Canada.

Status of negotiations
The parties signed a Framework Agreement in March 2005 and have since been negotiating an AIP.

Norman Wells

Who is negotiating?
Norman Wells Land Corporation, the Government of the Northwest Territories and the Government of Canada.

Status of negotiations
The parties signed a Framework Agreement in June 2007 and have since been negotiating an AIP.

Fort Good Hope

Who is negotiating?
The Fort Good Hope Dene Band, Yamoga Lands Corporation and Fort Good Hope Metis Nation Local #54 Land Corporation (on behalf of the K'ahsho Got'ı̨ne of Fort Good Hope), the Government of the Northwest Territories and the Government of Canada.

Status of negotiations
Framework Agreement negotiations commenced in January 2010.

Colville Lake

Who is negotiating?
The Behzhi Ahda" First Nation Band and Ayoni Keh Land Corporation (on behalf of the Delá Got'ı̨ne of Colville Lake), the Government of the Northwest Territories and the Government of Canada.

Status of negotiations
Framework Agreement negotiations began in 2010.

What is self-government?

Self-government gives the Aboriginal people of the NWT more control over the decisions that affect their daily lives, including how programs and services are delivered. It provides the Aboriginal people of the NWT with important tools to govern themselves.


- Self-government negotiations deal with:
- the powers and structures of the Aboriginal government and its powers in relation to the settlement lands and the people
 - how the Aboriginal government will work with other levels of government
 - how programs and services will be delivered in the area covered by the agreement

A few examples of self-government powers and responsibilities that can be negotiated are: education, social services, health, housing, language, culture and heritage resources.

- Though there are different models of self-government being negotiated, in all cases:
- programs and services will continue to meet NWT-wide program and service standards
 - the rights of non-Aboriginal residents will be respected

A treaty-making timeline for the NWT

In much of Canada, there are historic treaties between Aboriginal people and the federal Crown. In the Northwest Territories, the Dene entered into Treaties 8 and 11 between 1899 and 1922. Since that time, treaty-making has continued between the Crown and the Aboriginal people of the Northwest Territories and is still going on today.

Test your knowledge of the Territory's treaty-making history by seeing if you can match the events below with the right date. While these are not the only treaty-making dates, they do provide some important milestones along the way. 

- | | |
|------------|---|
| 1) 1899 | a) The Inuvialuit and the Government of Canada sign conclude the Inuvialuit Final Agreement . It is one of the first modern treaties in Canada. Canada also begins negotiating with the Dene and Métis of the NWT . The goal is to reach one agreement that will cover all of the NWT outside the Inuvialuit Settlement Region, also called the Mackenzie Valley. |
| 2) 1921-22 | |
| 3) 1973 | b) The Dene enter into Treaty 11 with the federal Crown |
| 4) 1984 | c) The Tłı̨chǫ Agreement is signed . It is the first modern treaty in the NWT to include self-government. |
| 5) 1990 | d) The Sahtu Dene and Metis Comprehensive Land Claim Agreement is concluded. |
| 6) 1992 | e) Canada introduced the Inherent Right to Self-government Policy . This policy opens the door to self-government negotiations for Aboriginal groups in the Northwest Territories, including those who already have settled land claims. |
| 7) 1994 | f) A Dene and Métis agreement-in-principle is reached, but is not ratified by the Aboriginal groups. Canada agrees to negotiate with regional Dene and Métis groups separately. |
| 8) 1995 | g) The Dene enter into Treaty 8 with the federal Crown |
| 9) 1998 | h) The Mackenzie Valley Resource Management Act (MVRMA) comes into effect. It creates the new land and water management system called for in the Gwich'in and Sahtu agreements. |
| 10) 1999 | i) The Gwich'in Comprehensive Land Claim Agreement is concluded . It is the first regional Dene and Métis agreement in the NWT. |
| 11) 2003 | j) Modern treaty-making process begins when the Supreme Court of Canada gives its decision in the Calder Case and the Government of Canada announces its intention to negotiate claims settlements with Aboriginal people. |
| | k) Following the Nunavut Land Claim Agreement , Nunavut becomes a separate territory from the NWT. |

Answers: 1) g 2) b 3) f 4) a 5) f 6) i 7) d 8) e 9) h 10) k 11) c

Got something to tell us?

Here's who to contact:

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Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document.

Our Vision

The NWT region of INAC is a respected partner in a strong and healthy Northwest Territories. We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

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On the Web

Government of Canada programs and services
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INAC - NWT Region
nwt-tno.inac-ainc.gc.ca

Youthbuzz on the NWT
ainc-inac.gc.ca/ai/scr/nt/edu/bzz/index-eng.asp

Agreements
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NWT

Plain Talk

On Land and Self-government

Respecting Rights and Doing Good Business



In this issue:

Respecting rights and
doing good business

What is the Crown's
duty to consult?

Government of
Canada Action Plan
on consultation and
engagement

Roles and
responsibilities

Where can you find
more information?

Also included in this issue:

Map of existing
agreements and current
negotiations



MVEIRB

Indian and Northern Affairs Canada (INAC) recognizes the importance of consultation and the need to respect Aboriginal rights. It takes an approach to consultation that works with the unique environmental regulatory system of the NWT, to achieve clarity and effectiveness.

Why does the Crown consult?

The Crown regularly consults on a wide variety of topics with Aboriginal people, other members of the public and interested groups and organizations, on matters of interest and concern to them.

Consultation is an important part of good governance, policy development and sound decision-making. In addition, the federal government consults with Aboriginal people to meet its statutory, contractual and common law requirements.

- **Statutory or contractual requirements** - those arising from legislation and treaties, including modern land claim agreements.
- **Common law requirements** - those arising from court decisions over time that have stated that the Crown must consult and, where appropriate, accommodate when the Crown has knowledge of potential or established Aboriginal or Treaty rights and contemplates conduct that may adversely affect those rights.

Engagement and Consultation

The terms *engagement and consultation* are commonly used to describe when government discusses issues directly with people.

Consultation is also used more formally to describe the Crown's duties under the law—established by treaties, legislation and decisions of the courts—such as the duty to consult Aboriginal people about their rights.

The Crown has overall responsibility for consultation with Aboriginal people based on s.35 of the *Constitution Act*. In the context of the *NWT Mackenzie Valley Resource Management Act*, parties seeking authorizations engage with the public as part of the process. In addition, resource management boards consult Aboriginal groups as per the *Act*.

Spring 2011

What is the Crown's common law duty to consult?

The purpose of consultation based on s.35 rights is the reconciliation of potential and established Aboriginal and Treaty rights with the Crown's ability to act in the public interest.

It is the process of ensuring that Aboriginal peoples' potential and established rights are fairly considered prior to the government making a decision that could potentially affect those rights, particularly in the approval of developments involving land and resources.

In recent years, the Supreme Court of Canada has provided guidance—that is, common law—relating to the Crown's legal duty to consult. The *Haida Nation* (2004), *Taku River Tlingit* (2004), *Mikisew Cree* (2005), *Carrier-Sekani* (2010), and *Little Salmon/Carmacks* (2010) decisions, as well as other decisions, have a significant influence on how the Crown consults with Aboriginal peoples.

The Supreme Court has confirmed that it is the Crown's duty to consult Aboriginal people, and where appropriate accommodate interests and mitigate impacts, when it knows that it is considering actions that might negatively impact potential or established Aboriginal or Treaty rights and related interests. The courts have also ruled that:

- the process of consultation may be delegated to third parties, but the legal duty is ultimately the Crown's responsibility
- consultation should be meaningful, proactive and done in good faith by all parties
- the extent of consultation is determined by the strength of a claim to a right and the seriousness of the potential negative impact on that right
- consultation may reveal a need to accommodate

- it is not necessary that consultation lead to full agreement. Aboriginal groups do not have a veto over the Crown's contemplated decisions
- each situation must be reviewed on a case-by-case basis

In its decisions, the Supreme Court also determined that the legal duty to consult comes from the Crown's special relationship with Aboriginal peoples and must be done in a manner that upholds the Honour of the Crown and promotes reconciliation of Aboriginal and public interests.

"Crown conduct" includes activities that allow development projects to move forward—for instance, the approval of mining or other projects through the issuance of authorizations such as a water licence, or a land use permit. Crown conduct can also include certain operational, policy and program decisions and activities of the government.

Government of Canada Action Plan on consultation and engagement



Canadian Zinc

In November 2007, the Government of Canada launched a plan to address the legal duty of federal departments and agencies to consult with Aboriginal groups.

The Action Plan provides more predictability, certainty and transparency on when and how to practically consult and, if necessary, accommodate.

The Action Plan ensures that:

- federal officials receive consultation guidelines and related training;
- federal officials begin monitoring and improving the coordination of consultation and accommodation practices across departments;

- a repository of information is created to track the location and nature of potential and established Aboriginal and Treaty rights; and
- Aboriginal groups, provinces, territories and industry groups are engaged in the development of policy on consultation and accommodation.

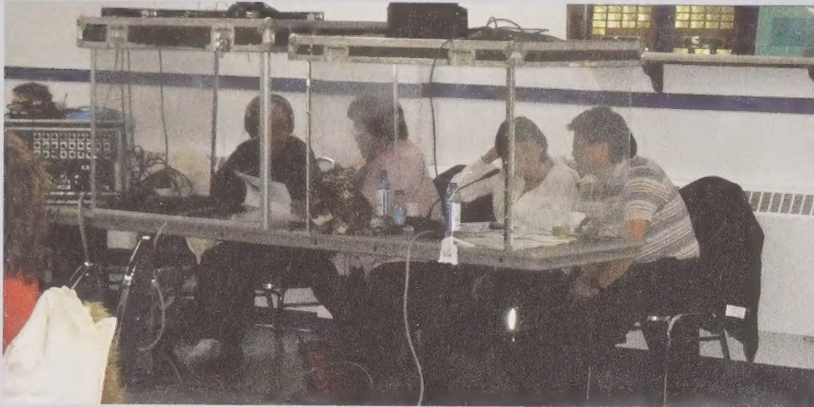
Consultation guidelines have been developed to assist federal departments and agencies in fulfilling the Crown's duty to consult. These guidelines can be viewed at: www.ainc-inac.gc.ca/ai/arp/cnl/intgui-eng.asp

Roles and Responsibilities

What is the role of the Crown?

The federal government is responsible for ensuring consultation and, where appropriate, accommodation obligations are fulfilled. It is important for federal departments and agencies involved to work together to fulfill the duty.

Departments and agencies must ensure that information regarding their decisions or activities is provided to appropriate Aboriginal groups in a timely manner. A point of contact needs to be identified, and any timelines made clear.



MVLMB

What is INAC's role in Crown consultation in the NWT?

INAC recognizes the importance of consultation, the need to respect potential and established Aboriginal and Treaty rights, and the desire by all parties for clarity and improved efficiency.

The action plan provides guidance and best practices for federal employees seeking practical ways to implement the common law duty to consult in the NWT, and focuses on using the environmental regulatory system in place pursuant to treaties and legislation.

INAC recognizes that the Crown approach to consultation is evolving. It is committed to working with other federal government departments, Aboriginal groups, regulatory boards, industry, the territorial government and other interested parties to make consultation effective and understandable.

As part of consultation, it must first be assessed whether there is a legal duty to consult and how it can be met. In many cases, the Crown must use the regulatory processes conducted by the boards established by the *Mackenzie Valley Resource Management Act*.

In all cases where a duty to consult is identified, the federal government must make sure that the appropriate extent of consultation is undertaken with Aboriginal groups and that industry is provided with information and advice.

Along with other federal government departments, INAC's goals for consultation in the NWT are to:

- meet the Crown's legal duty to consult, and where appropriate, accommodate Aboriginal groups
- avoid duplication of existing consultative processes carried out by the boards established or set out in land claim agreements.
- respect agreements reached through ongoing negotiation processes, such as Interim Measures Agreements

How is the Government of Canada organized for Crown consultation in the NWT?

Consultation Support Unit (CSU)

To support federal consultation overall, and its own consultations, INAC Northwest Territories Region established the Consultation Support Unit (CSU) in 2008. This unit provides support and advice to INAC NT Region directorates with respect to s.35

Crown consultation for minerals, lands and other matters, and also supports the overall government approach to making sure the duty to consult is met, particularly through the regulatory board processes.

Consultation and Accommodation Unit (CAU)

At the national level, the Consultation and Accommodation Unit (CAU) of INAC was established in 2008 to carry out the elements of the Action Plan on Aboriginal Consultation and Accommodation. The functions of the CAU have expanded since the release of the Action Plan to address the evolving nature of the legal duty to consult.

The CAU is responsible for leading a "whole of government approach" to Aboriginal consultation and accommodation including:

- Implementing Guiding Principles and Consultation Directives to define Canada's approach to consultation and accommodation
- Entering into consultation arrangements/ protocols to streamline consultation processes with Aboriginal groups and provinces/territories
- Entering into MOUs with provinces and territories improve efficiency and reduce duplication on consultation
- Enhancing consultation and accommodation tools designed to assist federal officials in effective and efficient decision making by:
 - Implementing the Consultation Information Service, to provide baseline information for external stakeholders and advisory input for federal departments and agencies
 - Providing updated guidelines and expanded training for federal officials
 - Strengthening government-wide coordination efforts
- Enhancing the Aboriginal and Treaty Rights Information System

Northern Project Management Office (NPMO)

In September 2009, the Northern Projects Management Office (NPMO) was established as a core program within the Canadian Northern Economic Development Agency (CanNor) to support economic development in Yukon, the Northwest Territories and Nunavut.

NPMO coordinates federal regulatory participation, tracks project progress, and maintains the Crown consultation record on northern projects. NPMO works with federal partners, territorial and aboriginal governments, regulatory boards, and stakeholders to facilitate improved communication and coordination and ensure environmental assessments and permits proceed smoothly on northern projects.

Other government departments often have a key role to play, including Environment Canada (EC) and Fisheries and Oceans Canada (DFO), National Energy Board (NEB), and Natural Resources Canada (NRCan).



MVEIRB

What does Crown consultation mean for Third Parties?

Third parties, such as developers, do not have a legal duty to consult with Aboriginal peoples.

However, certain parts of the consultation process may be delegated to third parties. For example, there are normal due diligence, regulatory and other business practices that are carried out by industry in the course of their dealings with the public, including Aboriginal groups. Engagement and consultation by developers or other third parties may be taken into account when the Crown is assessing consultation obligations.

For example, a mining exploration company may meet with a First Nation to explain a proposed drilling exploration project, answer any questions, and possibly address their concerns.

If the decision on permitting for the proposed project is identified as requiring consultation, boards and the Crown can take the company's consultation efforts into account.

The Mackenzie Valley Land and Water Board (MVLWB), including regional boards for Gwich'in, Sahtu and Wek'eezhii, and the Mackenzie Valley Environmental Impact Review Board (MVEIRB), have developed guidelines for third party consultation with Aboriginal groups that require applicants to provide evidence of their consultations.

Third parties benefit from being proactive, building relationships and sharing information with potentially affected Aboriginal groups from the very beginning stages of a proposed project—it makes good business sense, and is part of the regulatory process.

Consultation and engagement activities (meetings, discussions, letters, emails, phone calls), and their results (commitments, information, options and outcomes) should be recorded and well-documented by all parties.

Good consultation involves all parties!

When it comes to consultation, the Crown, Aboriginal groups and third parties all have a role to play. All are expected to act in good faith in order to better understand each others' concerns. This is done by:

- sharing information
- identifying concerns related to specific rights and proposed decisions or actions
- taking steps to avoid or minimize any negative impacts

For example, if a developer has applied to the MVLWB for a land use permit, and the Crown has a duty to consult, terms and conditions can be included in the land use permit to mitigate or avoid potential negative impacts.



INAC

NWT existing Aboriginal and Treaty rights:

Rights in a signed land claim (modern treaty), an historic treaty (Treaty 8 or 11) or that have been recognized by the courts.

NWT potential Aboriginal and Treaty rights:

Rights that have not yet been agreed on or decided by the courts, but that are asserted by an Aboriginal group.

Both potential and existing Aboriginal and Treaty rights are constitutionally protected under s.35 of the *Constitution Act, 1982*.

What is the role of Aboriginal groups in consultation?

An Aboriginal group is responsible, under the same common law that applies to government, for clearly outlining the nature and scope of its potential or established Aboriginal or Treaty rights, as well as the potential impacts of a given decision or action on such rights.

Most importantly, this includes participation in regulatory processes, particularly those carried out by the boards established by the *Mackenzie Valley Resource Management Act (MVRMA)* for environmental assessment and land and water permitting and licensing. The act can be viewed at <http://laws.justice.gc.ca/en/M-0.2/>

In order for the process to be effective, Aboriginal groups must:

- clearly outline the nature and scope of their potential or established Aboriginal or Treaty rights
- clearly outline potential negative impacts that the Crown's conduct will have on such rights

- accept reasonable good faith attempts by the Crown to consult and take reasonable positions to help government make decisions in a timely way
- attempt to achieve solutions in the spirit of reconciling interests

What is the role of the Government of the Northwest Territories?

Supreme Court of Canada decisions also apply to provincial and territorial governments. These governments have put in place their own consultation processes for their conduct. In cases where both levels of government are involved, Canada looks for opportunities to coordinate efforts with the provinces and territories to make the process work better by minimizing duplication and conflict.

It is essential that Aboriginal groups actively participate in and contribute to the consultation process by communicating their concerns and providing information in a timely way—particularly as part of regulatory processes that have been specifically created to deal with Aboriginal concerns and interests.

Considering a project? Start engaging early!

- Follow regulatory board guidelines (MVLWB and MVEIRB).
- Meet with Aboriginal groups from the beginning.
- Record and document all activity.
- Contact the Consultation Support Unit, the Consultation and Accommodation Unit or the Northern Project Management Office for additional information.

Crown:

The Crown means the Government of Canada or the government of a province. By extension, the Crown includes all territorial governments, government departments, agencies and boards established under federal or provincial legislation.

The major difference between a Canadian province and a territory is that provinces are jurisdictions that receive their power and authority directly from the *Constitution Act, 1867*, under Commonwealth law, whereas the mandates and powers of territories come from the federal government. Each province has its own "Crown" represented by the lieutenant-governor, whereas the territories are not sovereign and are considered parts of the federal realm and have a commissioner.

In the Northwest Territories, the territorial government represents the Crown indirectly through federal legislation—the *NWT Act*.





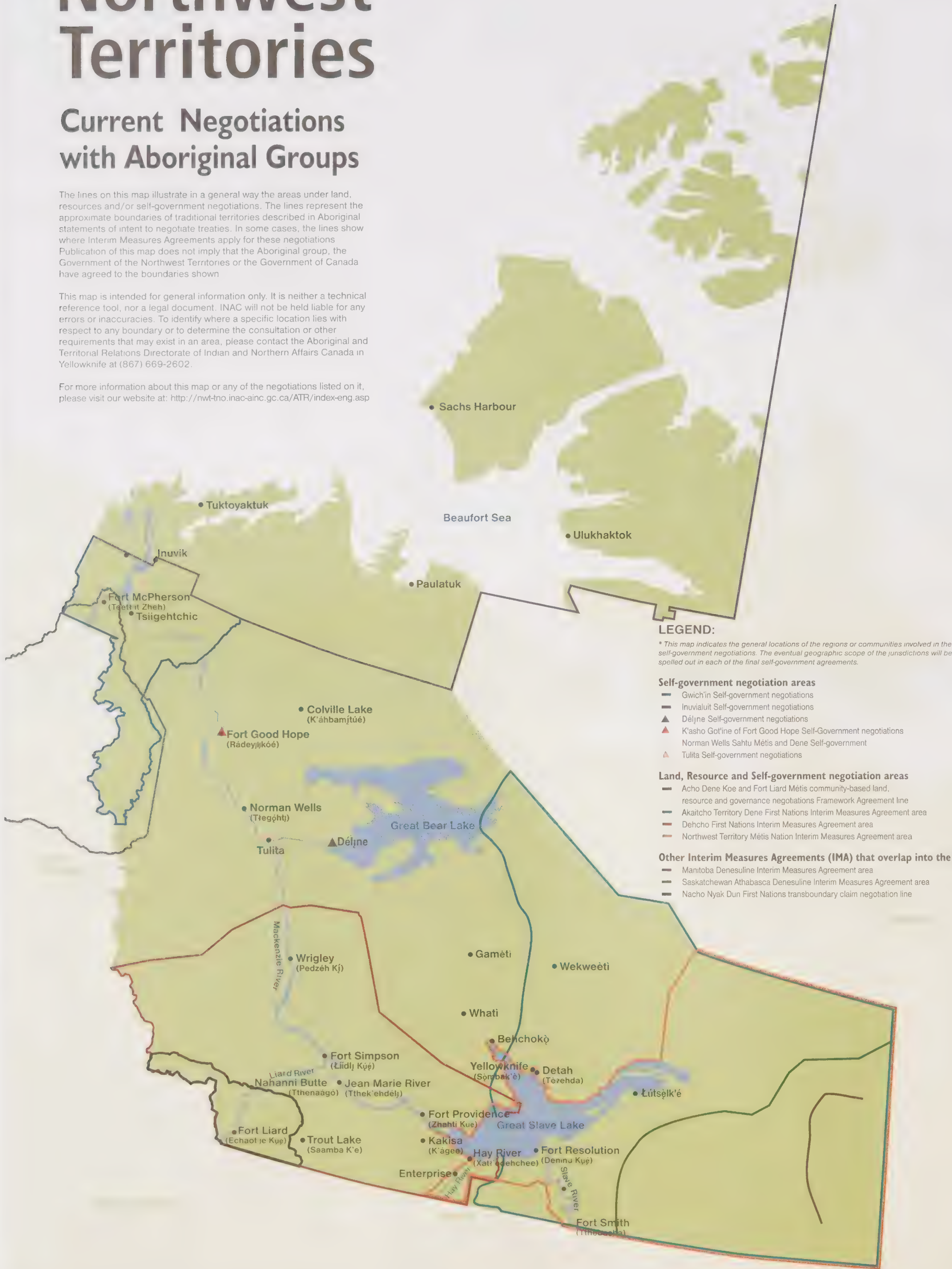
Northwest Territories

Current Negotiations with Aboriginal Groups

The lines on this map illustrate in a general way the areas under land, resources and/or self-government negotiations. The lines represent the approximate boundaries of traditional territories described in Aboriginal statements of intent to negotiate treaties. In some cases, the lines show where Interim Measures Agreements apply for these negotiations. Publication of this map does not imply that the Aboriginal group, the Government of the Northwest Territories or the Government of Canada have agreed to the boundaries shown.

This map is intended for general information only. It is neither a technical reference tool, nor a legal document. INAC will not be held liable for any errors or inaccuracies. To identify where a specific location lies with respect to any boundary or to determine the consultation or other requirements that may exist in an area, please contact the Aboriginal and Territorial Relations Directorate of Indian and Northern Affairs Canada in Yellowknife at (867) 669-2602.

For more information about this map or any of the negotiations listed on it, please visit our website at: <http://nwt-tno.inac-ainc.gc.ca/ATR/index-eng.asp>





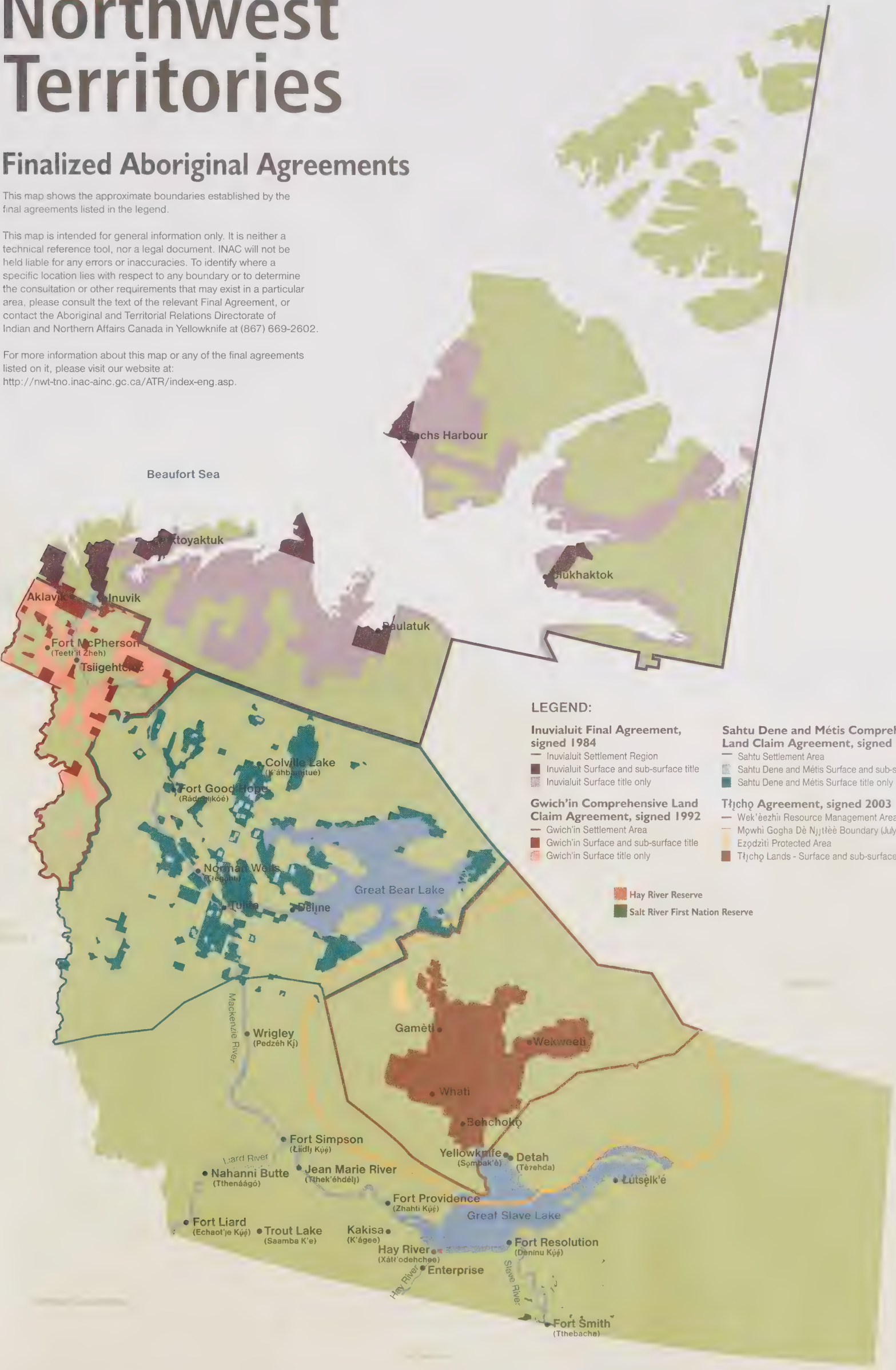
Northwest Territories

Finalized Aboriginal Agreements

This map shows the approximate boundaries established by the final agreements listed in the legend.

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<http://nwt-tno.inac-ainc.gc.ca/ATR/index-eng.asp>.





LEIF NORDSTROM

Where can you find more information on consultation?

Parties interested in and affected by consultation need to get involved and informed on obligations and rights related to consultation.

Here are some links to get started:

Action Plan on Consultation and Engagement

www.ainc-inac.gc.ca/ai/arp/cnl/index-eng.asp

Aboriginal Consultation and Accommodation: Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult

www.ainc-inac.gc.ca/ai/arp/cnl/intgui-eng.asp

INAC NT Region Consultation Support Unit (CSU)

www.ainc-inac.gc.ca/ai/scr/nt/cns/index-eng.asp

consultationsupportunit@inac.gc.ca

Consultation and Accommodation Unit (CAU)

www.ainc-inac.gc.ca/ai/arp/cnl/ca/index-eng.asp

Northern Project Management Office (NPMO)

(867) 920-NPMO (6766)

NPMO-BGPN@cannor.gc.ca

www.north.gc.ca/pr/npm-eng.asp

Aboriginal Consultation in the Northwest Territories brochure

www.ainc-inac.gc.ca/ai/scr/nt/ntr/pubs/cnslt-eng.asp

Negotiations and Agreements in the NWT

www.ainc-inac.gc.ca/ai/scr/nt/na/index-eng.asp

Government of the Northwest Territories

(867) 873-7500

www.gov.nt.ca

Mackenzie Valley Land and Water Board

(867) 669-0506

www.mvlwb.com

Mackenzie Valley Environmental Impact Review Board

(867) 766-7050 (General inquiries)

(866) 912-3472 (Toll Free NWT, Nunavut and Yukon only)

www.reviewboard.ca

Got something to tell us?

Here's who to contact:

INAC Communications

PO Box 1500, Yellowknife NT X1A 2R3

Phone: (867) 669-2576 Fax: (867) 669-2715

Email: ntcommunications@inac.gc.ca

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- responsive and accountable northern governments as partners
- national initiatives that reflect the interests of all Northerners

On the Web

Government of Canada programs and services
www.gc.ca

INAC - NWT Region

nwt-tno.inac-ainc.gc.ca

Youthbuzz on the NWT

ainc-inac.gc.ca/ai/scr/nt/edu/bzz/index-eng.asp

Agreements

ainc-inac.gc.ca/ai/scr/nt/na/agr/index-eng.asp

Plain Talk on the web

ainc-inac.gc.ca/ai/scr/nt/na/pt/index-eng.asp



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Plain Talk

On Land and Self-government

Investing in Training, Investing in Northerners



In This Issue:

Investing in Training,
Investing in
Northerners

Déline Self-
Government:
Celebrating Successes

NWT Water Board
Office Opening

National Aboriginal
Day: Share in the
Celebration!

Just Plain Fun



Photos by DOUG ASHBURY Diavik Diamond Mines


On August 27, 2008 the Honourable Chuck Strahl, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, announced a nine-million dollar investment to help Northerners with skills and training to take advantage of job opportunities in the North and across Canada.

Minister Strahl announced the Mine Training Society funding while he was in Yellowknife for the Northern Development Minister's Forum.

"Canada's Government is committed to creating the best educated, most skilled, most flexible workforce in the world. This is a good news story about co-operation between government, First Nations, the training sector and industry," said Minister Strahl. "It will enable Northerners to participate in greater numbers and at higher skill levels in the mining industry."

Under Human Resources and Social Development Canada's Aboriginal Skills and Employment Partnership (ASEP) program, the Mine Training Society will prepare Aboriginal people for long-term employment in the NWT mining sector. Over a three year period, the project is expected to provide training and skills development to at least 500 Aboriginal people, leading to career opportunities in the Northwest Territories' mining and mine service sectors.

The Aboriginal Skills and Employment Partnership (ASEP) program is an opportunity-driven initiative that focuses on maximizing Aboriginal employment on major projects through formalized partnerships. ASEP was initially launched in October 2003 as a five-year \$85 million initiative. In July 2007, the Government of Canada expanded and extended the ASEP program to 2012.

In Budget 2007, the Government of Canada committed to fostering private and public sector partnerships that help Aboriginal people with the skills and training they need to take advantage of opportunities in the North and across Canada. 

The purpose of our newsletter is to keep you informed on the progress of land and self government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of Indian and Northern Affairs Canada (INAC), we hope you will find our newsletter informative and easy to read.

Full Edition!
Summer Roll Up

Canada 

National Aboriginal

Share the Celebration

Photos by PATRICK KANE



Granddaughters of the Drum



Hank Big Charles dances with his children, Bradley and Summer Big Charles alongside Garret Jones



The crowd watches Garret Jones perform a hoop dance

On June 21st, 2008, National Aboriginal

Day celebrations were held across Canada.

Northerners from all walks of life participated in the many National Aboriginal Day activities in their communities. In Yellowknife, residents spent the sunny day celebrating at the Yellowknife Community Arena near Frame Lake.

National Aboriginal Day is a time for all Canadians to honour Canada's First Peoples for their important contributions to our culture and national identity. It is a day to take pride in the First Nations, Inuit and Métis people of Canada and their achievements. Most importantly, it is an opportunity to celebrate rich traditions and to recognize the important role of Aboriginal Peoples in the creation of a proud and strong future for all Canadians. 🦋

Déline Self-Government: Celebrating Successes

Photos by TAWNA BROWN

On June 19, 2008, negotiations towards a Déline self-government agreement reached an important milestone. The three chief negotiators from Déline, Canada and Government of the Northwest Territories shook hands in a symbolic gesture to show they had reached agreement on all major issues in the text of the Déline Final Self-Government Agreement. The handshake was part of a day-long celebration in the community.

The day began with an open house at the school, where community members had the opportunity to ask questions and discuss issues about

the agreement with members of the Government of Canada, Déline, and Government of the Northwest Territories' negotiating teams. The Elders held a group discussion with youth about Dene governance practices. Later in the afternoon, a fire feeding ceremony was held at the Prophet's House, led by Charlie Neyelle.

This was followed by the formal handshake ceremony among negotiators, Darrel McLeod (Canada), Danny Gaudet (Déline) and Fred Talen (GNWT). The event was also an opportunity for the Chief Negotiators to thank the many people in Déline who have



Drummers at the fire feeding ceremony

Day



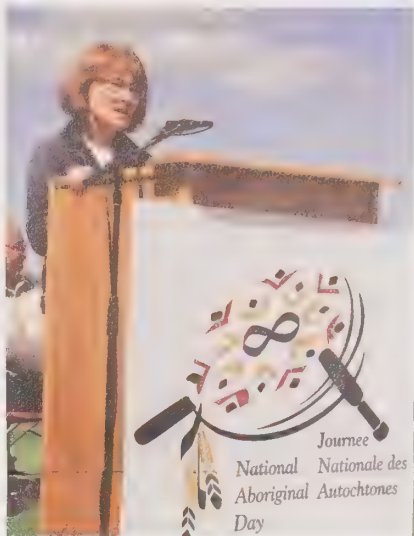
Michele Paper



Garret Jones and Charlotte Overvold led the crowd in a ceremonial dance. Jones, Overvold and Hank Big Charles hosted this year's National Aboriginal Day festivities



The Dettah Drummers



Trish Merrithew-Mercredi, Regional Director General, Indian and Northern Affairs Canada addresses the crowd

contributed towards reaching this important milestone in the self-government process.

The ceremony included recognition of three elders who have guided the Déline team during the negotiations: Leon Modeste, Alfred Taniton, and Andrew John (A.J) Kenny.

The day was made complete with a community feast, hand games and a drum dance.

Déline was the first Sahtu community to pursue a self-government agreement, beginning negotiations in 1996. The residents of Déline will have greater control over decisions in their community and a final agreement will see they have practical tools and opportunities to strengthen their social and economic well-being. 🐾



Chief Negotiators Danny Gaudet (Déline), Fred Talen (GNWT), Darrel McLeod (Canada) pose after shaking hands over the Déline Final Self-Government Agreement

NWT Water Board Office Opening

Photos by INAC

The NWT Water Board has opened its new office in Inuvik. The official opening and ribbon-cutting ceremony was held on June 11, 2008, the same week as the Inuvik Petroleum Show. Several well-known Northerners attended the reception, including representatives from Canada and the Government of the Northwest Territories. 🐾



Former NWT Water Board Interim Chair Rudy Cockney is pictured cutting the ribbon for the official opening with Nellie Cournoyea, CEO/Chair of the Inuvialuit Regional Corporation and INAC Regional Director General Trish Merrithew-Mercredi



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Olympics
Mackenzie
Drum
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Northern
Initiative
Deline
McCrank
Summer
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Games

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Plain Talk

On Land and Self-government

Land and Resource Negotiations Update

Most people in the Northwest Territories (NWT) have heard about what are commonly called "claims negotiations" between governments and Aboriginal people to resolve disagreement about land, resource and self-government issues. What may not be clear, though, is how negotiations work and what progress is being made. There are many reasons for this:

- negotiations like these normally take many years to complete;
- the parties at the negotiation table have to deal with a wide range of complex issues that take time to understand and resolve;
- some negotiations are subject to confidentiality requirements;
- not all agreements are the same because they must reflect the unique circumstances of each people and situation and respond to changes in the world around us.

To reach an agreement that will work now and in the future, all parties must negotiate carefully and thoughtfully, taking into consideration each other's specific interests, aspirations and bottom lines.

Right now in the NWT, Canada is negotiating land, resources and governance matters with three regional Aboriginal groups: Dehcho First Nations, Akaitcho Dene First Nations and the Northwest Territory Métis Nation. It is also involved in a community-based negotiation with the Dene and Métis in the Fort Liard area. In addition, Canada is negotiating with three Aboriginal groups who reside in other provinces and territories, but who have claims that overlap into the NWT: the Athabasca Denesuline (Saskatchewan), the Manitoba Denesuline and the First Nation of Nacho Nyak Dun (Yukon).

This issue of Plain Talk will bring readers up-to-date on these negotiations.

Note: The Government of Canada has concluded land and resource negotiations with the Gwich'in, the Inuvialuit and the Sahtu Dene and Métis, all of whom are now involved in self-government negotiations.



The Government of Canada believes that negotiating land, resource and self-government agreements creates more stable and predictable communities and economies in the Northwest Territories

In This Issue:

Map and Update on
Current Negotiation
Tables

The Language of
Negotiations

A short history of negotiations in the NWT

In much of Canada, there are historic treaties between Aboriginal people and the federal Crown. In the NWT, the Dene entered into Treaties 8 and 11 between 1899 and 1922. The Inuvialuit were never offered a treaty, and Métis individuals who did not participate in a treaty were offered "scrip" payments. Even where there are treaties, there remained disagreement between the Government of Canada and many Aboriginal people as to what the treaties said about their relationship with the government and their land rights. In addition, some provisions in the treaties, such as the creation of reserves, were never implemented.

In 1984, the Government of Canada settled these matters with the Inuvialuit in one of the first modern comprehensive land claims.

The same year, the Government of Canada entered into joint negotiations with the Dene and Métis of the entire Mackenzie Valley to deal with land and resource issues. A Dene/Métis comprehensive claim agreement-in-principle was reached in 1990, but was not ratified by the Aboriginal groups and the negotiations ended. After this, Canada entered into land and resource negotiations with regional Dene and Métis groups. This resulted in a Gwich'in Agreement in 1992, and a Sahtu Agreement in 1994.

Still, these agreements dealt only with land and resource issues and, while they provided for the possibility of negotiating self-government in the future, this did not happen until 1995, when Canada introduced the Inherent Right Policy. With this policy in place, the Inuvialuit, the Gwich'in and the Sahtu Dene and Métis were able to enter into self-government negotiations and these are still on-going.

In 2004, Canada, the Government of the NWT, and the Tlicho completed an agreement that included land, resources *and* self-government. Negotiations are continuing with other groups to reach agreement on land, resources and governance matters.

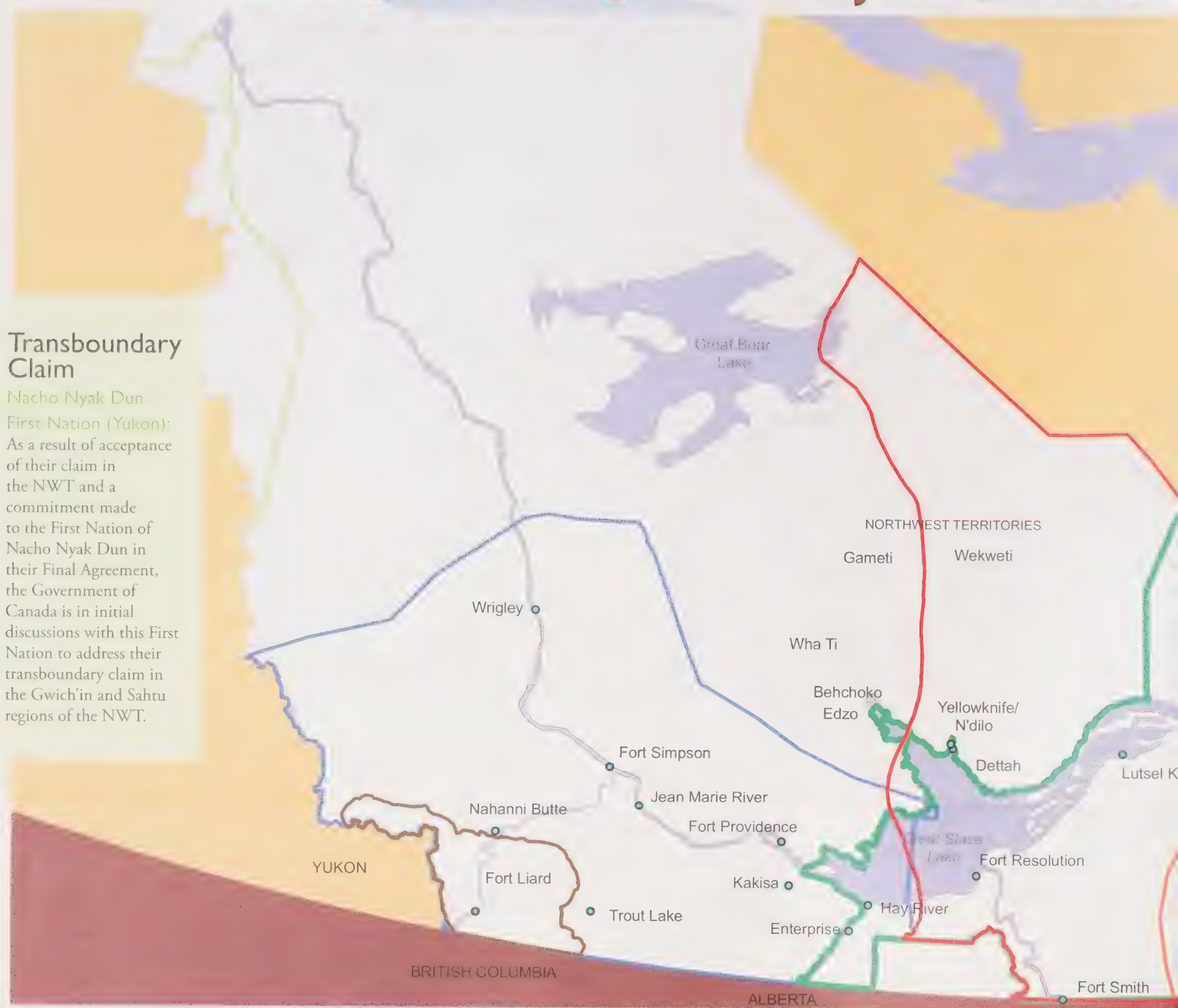
Land and Resource

Transboundary Claim

Nacho Nyak Dun

First Nation (Yukon):

As a result of acceptance of their claim in the NWT and a commitment made to the First Nation of Nacho Nyak Dun in their Final Agreement, the Government of Canada is in initial discussions with this First Nation to address their transboundary claim in the Gwich'in and Sahtu regions of the NWT.



Dehcho First Nations

WHO: For the purposes of the Dehcho Process Negotiations, the Dehcho First Nations (DFN) represents nine First Nations and two Métis Locals in the southwest corner of the Northwest Territories, commonly known as the Dehcho.

WHAT: Canada, the Dehcho First Nations and the Government of the Northwest Territories agreed to begin the Dehcho Process in 1999. Since 2001, the Parties have been exploring models for an Agreement-in-Principle.

MILESTONES: Framework Agreement (2001); Interim Measures Agreement (2001); Interim Resource Development Agreement (2003); Interim Land Withdrawal (2003); Out-of-Court Settlement Agreement related to litigation challenging the federal environmental assessment and regulatory review processes for the Mackenzie Gas Project (2005). On May 30, 2006 Canada made an offer to the Dehcho First Nations based on land selection. The Dehcho have been exploring this model, which is different from the shared ownership and jurisdiction model they had advocated.

RECENT PROGRESS: A significant number of Agreement-in-Principle chapters have been tabled by the Parties. The Dehcho Interim Land Withdrawal has also been renewed until October 2010. The Dehcho Land Use Planning Committee continues its work to develop a mutually acceptable Interim Land Use Plan under the auspices of the Interim Measures Agreement.

Acho Dene Koe First Nation and Fort Liard Métis

WHO: The Acho Dene Koe First Nation (ADK), located in Fort Liard, participated in the regional Dehcho Process negotiations. However, ADK had advocated for its own negotiations process with Canada and the territorial government for over 20 years. The Fort Liard Métis Local is also participating in these negotiations.

WHAT: After almost 10 years in the Dehcho Process, Canada and the Government of the Northwest Territories agreed to enter into negotiations with ADK that were more focused on its particular needs and interests. These negotiations are an example of Canada's commitment to a partnership approach to resolving outstanding land and resource issues. They are the first in the NWT to deal with a community-based comprehensive land claim agreement. The Fort Liard Métis Local is also participating in these community-based negotiations.

RECENT PROGRESS: The signing of a Framework Agreement (July 2008) marked the start of negotiations on a land and resource agreement. The agreement sets out how the three parties will engage in negotiations as well as how community governance will be addressed.

Akaiitcho Dene First Nation

WHO: Akaiitcho Dene First Nation reside primarily in the southeastern Northwest Territories in four communities around Great Slave Lake: Fort Resolution (Deninu Kue), Lutsel K'e, N'dilo (adjacent to Yellowknife).

WHAT: The Akaiitcho Dene made a treaty with the Crown on July 25, 1900, but remains disagreement about implementation of the treaty. The Parties have agreed to explore these and other land, resource and issues through negotiation.

MILESTONES: Framework Agreement (2000); Interim Measures Agreement (2001); Akaiitcho – Tlicho Boundary Agreement (November 2002); Land Withdrawal Agreement (November 2006).

RECENT PROGRESS: An Interim Land Withdrawal was completed in 2007. 62,000 sq km of federal Crown land withdrawn in the Akaiitcho asserted five years (expires March 2012).

Resource Negotiations

NUNAVUT

MANITOBA

Resolving overlaps

There are many areas of the NWT where the claims of Aboriginal groups overlap. It is the Government of Canada's view that it is possible to solve overlapping claims if all parties work together.

WHAT'S NEW: Canada has appointed Robert Overvold as a Special Ministerial Representative tasked with exploring the possibility of resolving overlapping claims in the South Slave and Dehcho areas of the NWT.

Want to know more?

There is a lot more information available about land, resource and self-government negotiations and agreements in the Northwest Territories and across Canada on our website at ainc-inac.gc.ca. All editions of *Plain Talk* and a related series called "Plain Facts" are also available on the internet at <http://nwt-tno.inac-ainc.gc.ca/ATR/pub-eng.asp>. You can also call Indian and Northern Affairs Canada in Yellowknife at (867) 669-2576 to request information at any time.

Northwest Territory Métis Nation

WHO: The Northwest Territory Métis Nation (NWTMN), formerly known as the South Slave Métis Tribal Council, represents Métis people in the South Slave area of the Northwest Territories. The NWTMN is the umbrella organization for the Fort Resolution Métis Council, the Hay River Métis Government Council and the Fort Smith Métis Council.

WHAT: The Métis of the Northwest Territories have been involved in negotiations since 1981 when they participated in the joint Dene/Métis claim. Elsewhere in the NWT, Dene and Métis groups have negotiated a single agreement. However, after the collapse of the territory-wide Dene/Métis negotiations, the Akaitcho Dene First Nations initially decided to pursue a Treaty Land Entitlement negotiation that did not include Métis in the South Slave region. Canada and the Government of the Northwest Territories decided to negotiate a lands and resources agreement with NWTMN. The negotiations began in 1996 and are ongoing.

MILESTONES: Framework Agreement (1996); Interim Measures Agreement (2002).

RECENT PROGRESS: The parties are making steady progress on an Agreement-in-Principle.

Athabasca and Manitoba Denesuline

WHO: There are currently two negotiations based on out-of-court settlement discussions that affect parts of the southeastern NWT and parts of Nunavut with Aboriginal groups who do not live in these territories: one with the **Manitoba Denesuline** (Sayisi Dene First Nation and Northlands First Nation) and one with the **Athabasca Denesuline** of Saskatchewan (Fond du Lac First Nation, Hatchet Lake First Nation and Black Lake First Nation). The negotiations are confidential and without prejudice.

WHAT: The **Athabasca Denesuline Benoanie** court case and **Manitoba Denesuline Samuel** court case are court actions alleging treaty and/or Aboriginal rights to areas of Nunavut and the Northwest Territories. The Denesuline also claim that Canada breached its fiduciary obligation by negotiating and concluding an agreement with Nunavut Tunngavik Inc. (NTI), while excluding and ignoring their North of 60° Treaty interests. The Denesuline asserted areas overlap with the asserted territories of the Akaitcho Dene First Nation, Northwest Territory Métis Nation and are within the boundaries of the settled claim areas of the Inuit of Nunavut (*Nunavut Land Claim Agreement*).

MILESTONES: The **Manitoba Denesuline** litigation was put in abeyance in June 1999 and the Manitoba Denesuline signed a Memorandum of Understanding (MOU) with Canada to begin discussions on an out-of-court settlement focused on harvesting and land rights on July 12, 1999. On August 5, 2004, Canada, the GNWT and the Manitoba Denesuline signed an Interim Measures Agreement. The **Athabasca Denesuline** litigation was put in abeyance in August 2000. In the fall of 2000, they signed an MOU with Canada to begin discussions on an out-of-court settlement. On May 26, 2004, Canada, the GNWT and the Athabasca Denesuline signed an Interim Measures Agreement.

RECENT PROGRESS: An Overlap Agreement among the **Manitoba Denesuline**, **Athabasca Denesuline** and the NTI/Kivalliq Inuit Association in Nunavut was reached on September 5, 2007, regarding matters of mutual interest North of 60. The agreement is confidential at this time.

The language of negotiations

Asserted Traditional Territory or Asserted Rights:

Terms used to refer to the territory or rights an Aboriginal group believes it has.

Claims: This catch-all term is commonly used to describe negotiations over lands, resources and self-government. These negotiations are typically based on Aboriginal and treaty rights that are “claimed” or “asserted” by an Aboriginal group, or on existing rights where there remains disagreement about these rights. Also a term used to describe negotiations that arise from a legal “claim” made before a court. The term “comprehensive claim” comes from the policy the Government of Canada uses as a basis for negotiating land and resources agreements.

Parties: The participants in a negotiation who will sign the agreement. Unless otherwise specified, the parties to the negotiations described in this edition of Plain Talk are the Government of Canada, the Government of the Northwest Territories and the governing organizations of the Aboriginal group(s).

Framework Agreement: An agreement reached by the parties at the beginning of negotiations that sets out the process and “ground rules” for negotiations, including objectives, subjects, timetables and funding issues.

Interim Measures Agreement (IMA): An agreement that clarifies how Canada and the Government of the Northwest Territories will work with an Aboriginal group during negotiations on decisions that may affect the Aboriginal group’s interests in lands and resources before a final agreement is reached (eg. parks, forest management, land use permits, water licenses, tourism).

Interim Land Withdrawal: An agreement by the parties to temporarily ensure certain areas of land are protected from new land sales, leases or certain other new land rights that could interfere with the ability of the parties to negotiate. Existing interests on withdrawn lands such as recorded mineral claims, cottages or other leases, and land use permits are not be affected by the withdrawal.

Land Use Plan: A plan that provides for the conservation, development and sustainable use of land, waters and other resources. Regional land use planning in the NWT flows from settled land claims or interim measures agreements to which Canada is a signatory.

Agreement-in-Principle (AIP): An agreement that provides most of the basic parts of an eventual final agreement, but without some of the technical and legal detail. An AIP helps the parties decide whether to continue to complete a Final Agreement. It is not legally binding.

Final Agreement or Settlement: Names for a successfully completed land claim or self-government agreement. Such an agreement may include land ownership, management of resources, financial benefits and self-government arrangements. This agreement must be “ratified” (approved) by all parties. Such an agreement may receive constitutional protection as a Treaty under Section 35 of the Canadian Constitution. It includes terms such as “settlement area” (the area covered by an agreement) and “settlement lands” (lands an Aboriginal group owns as a result of the agreement).

Implementation: The process that happens after a final agreement is signed to make the agreement a reality. Implementation of an agreement follows a multi-year plan agreed to by the parties. It creates many ongoing relationships and responsibilities for all parties.

Overlap: Refers to situations where more than one Aboriginal group has asserted or established rights, such as harvesting, in the same area.

Out-of-court settlement discussions: Discussions which take place between parties that are already involved in “litigation” (a court case) to try to resolve their disagreement outside of court. The parties must agree before the judge to put the litigation “in abeyance” or “adjournment” (on hold). These negotiations usually remain confidential and are “without prejudice” (not to be held against the parties if the court case goes forward). If agreement is reached, the parties can ask for a “discontinuance” which puts an end the court action. 🐾

Got something to tell us?

Here’s who to contact:

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PlainTalk

On Land and
Self-government

Protecting Canada's Natural Beauty: Nahanni National Park Reserve Expansion

Prime Minister Stephen Harper announced a significant move towards protecting one of Canada's most unique assets this summer. On August 8, the Prime Minister gathered with Environment Minister John Baird, on the banks of the Mackenzie River in Fort Simpson to officially announce plans for a major expansion to the boundaries of the Nahanni National Park. In attendance at the announcement was Dehcho First Nations Grand Chief Herb Norwegian and other Northern dignitaries.

"Canada is blessed with magnificent geography from coast to coast, but none more spectacular than Nahanni Park," said the Prime Minister. "Today's announcement will ensure that more of this precious land, and the unique wildlife populations it sustains, will be protected for future generations."

"Nahanni National Park is home to one of the most unique ecosystems in the world," said Minister Baird. "Our Government is proud to take the final concrete steps to protect and preserve this unforgettable place for future generations. Working with the Dehcho First Nations as valued and esteemed partners, we can better protect its ecological integrity, natural wilderness and the spiritual values central to the people who have appreciated its beauty for so many years."

The Prime Minister's announcement allows for the temporary protection of over 28,000 square kilometres of land for national park purposes within the Deh Cho portion of the Greater Nahanni Ecosystem, which is the focus of efforts to significantly expand Nahanni National Park Reserve. The land will now be withdrawn from any kind of further development until October 31, 2008.



Virginia Falls

*"This is arguably the most
important act of environmental
protection in a generation."*

— Prime Minister Stephen Harper

The new land withdrawal protects this area from further development until the completion of a feasibility study. However, existing third party interests are not affected and will continue to be honoured. Consultations are being conducted to help decide on the exact location of a new boundary for an expanded Nahanni National Park Reserve.

Nahanni National Park Reserve was designated as UNESCO's first World Heritage Site in 1978 and the section of the South Nahanni River within the Reserve that includes the renowned Virginia Falls was designated a Canadian Heritage River by the Canadian Heritage Rivers Board in 1987.

To learn more about the expansion,
visit <http://www.pm.gc.ca/>



Prime Minister Harper: Expanding Nahanni
for Future Generations

This announcement protects an additional 5,400 square kilometres of land within the Deh Cho portion of the Greater Nahanni Ecosystem, as the government moves forward to expand the existing Nahanni National Park Reserve.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Indian and Northern Affairs Canada (INAC), we hope you will find our newsletter informative and easy to read.

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IP Why?

A Brief Introduction to International Polar Year



Photo: Son B, The Circumpolar Flaw Lead Study

You have probably heard about International Polar Year. It's been in the news a lot since its kick-off on March 1st 2007. But what exactly is it? And how will it benefit Northerners?

International Polar Year, or IPY, is an intensive international program of science, research and observations focused on the Arctic and Antarctic regions of the world. For the next two years, thousands of scientists and researchers from more than 60 nations around the globe are participating in various research programs – and many of these in Canada's Arctic.

The Government of Canada has invested \$150 million over six years to support Canada's participation in IPY. This includes support for forty-four science and research projects focused on two themes: climate change impacts and adaptation and human health and well-being of Northern communities. Twenty-four Government of Canada-funded IPY projects will be on the ground in the NWT, including studies of climate change and the tundra, the flaw lead system in the Southern Beaufort Sea, impacts of oil and gas activity, changing forests and peatlands along the Mackenzie Valley, as well as human health studies on hepatitis and cervical disease, to name a few.

This isn't the first International Polar Year to be held. In fact, there have been three during the past 125 years, but this IPY is the biggest ever! Thanks to modern technology, our ability to learn as much as possible about the North is even greater than before. Previous International Polar Years have contributed to enormous advances in knowledge and understanding about the polar regions, telecommunications, atmospheric and ocean science, and the aurora. The Antarctic Treaty was a product of the last IPY, which was held over 50 years ago.

Many important issues which concern the Arctic, like climate change and contaminants, can't be addressed by any one nation. IPY provides the opportunity for Canadians to benefit from the research contributions

of many scientists from around the world working together. With so many experts looking at the same questions, we will gain invaluable insight on issues which affect all of us.

Aboriginal people and Northerners play a significant role in the planning, coordination and implementation of IPY. Organizations including the Government of the Northwest Territories, Council of Yukon First Nations, Inuit Circumpolar Conference, Government of Yukon, and Government of Nunavut are all currently members of



Photo: T. Lucas, The Circumpolar Flaw Lead Study

the Canadian IPY National Committee, which helps guide IPY for all of Canada. There are also Territorial Advisory Groups in each of the three territories.

Northern communities are actively engaged in science and research activities. Seven of the science and research projects are being led by Northern and Aboriginal researchers, and many more Northerners are involved in various IPY projects.

IPY research incorporates capacity building and training opportunities, especially for Northerners and youth. The benefit of IPY doesn't just end after the 24-month period. Investments in education and training will promote the involvement of a new generation of polar scientists, particularly Northerners to carry on strong northern research programs in the decades to follow. [2007 and 2008 are the two "observing years", but IPY activities and benefits will last much longer. There will be ongoing reporting of results, training, communication and outreach activities until 2011-12.]

Northern Coordination Offices have been established in four key Northern regions – NWT, Yukon, Nunavut and Nunavik/Nunatsiavut. These offices serve as primary points of contact on IPY matters and their goal is to assist researchers and involve Northerners in IPY science and research projects as much as possible.



Photo: T. Lucas, The Circumpolar Flaw Lead Study

Want to learn more?

Visit the IPY Federal Program Office at www.ipy.gc.ca for more information on the Government of Canada's Program for IPY, current projects and researchers. Or contact the NWT Northern Coordination Office for IPY established at the Aurora Research Institute at (867) 777-3298 or ipy@nwtresearch.com

What IPY projects are happening in the NWT?

- Frederick Wrona
- Gilles Gauthier
- Greg Henry
- Karen Harper
- Jagtar Bhatti

- Yang Mao

- Dawn Bazely
- Don Russell

- David Barber
- Antoni Lewkowicz
- Maurice Levasseur, Université Laval
- Jocelyne Bourgeois
- Thomas Andrews
- Gerald Minuk

Arctic Freshwater Systems

The Impact of Climate Change on Tundra Wildlife

Climate Change Impacts on Canadian Arctic Tundra

Impacts of a Changing Arctic Tree Line

Changing Forests and Peatlands along the Mackenzie Valley, Northwest Territories

Human Papillomavirus (HPV) and Cervical Disease in the Northwest Territories

The Impacts of Oil and Gas Activity on Peoples in the Arctic

Monitoring the Impacts of Global Change on Caribou and Wild Reindeer and their Link to Human Communities

The Circumpolar Flaw Lead System Study

Permafrost Conditions and Climate Change

Ocean Production of Trace Gases in the Arctic and their Impact on Climate

Environmental Change in the High Arctic from Snow and Ice Cores

Northwest Territories Ice Patch Study

Coordinated Effort to Clear Hepatitis Viruses from the Canadian North



Meet the New Faces of INAC!

A new Minister in Ottawa and Regional Director General in the Northwest Territories



The Honourable Chuck Strahl Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians

With the August 14th cabinet shuffle, Indian and Northern Affairs Canada welcomed their new Minister. Chuck Strahl, Member of Parliament for Chilliwack-Fraser Canyon (British Columbia) was appointed Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians. The former Minister, Jim Prentice, moved to Industry Canada.

Minister Strahl was first elected to Parliament in 1993 and was re-elected in 1997, 2000, 2004 and 2006. He served as the Official Opposition House Leader for the Canadian Alliance from January 2000 until April 2001. From February 2006 to August 2007, he served as Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board. Previous to becoming Deputy Speaker in 2004, Mr. Strahl was Critic for Democratic Reform, for Northern Economic Development, for Cultural Industries, for the Deputy Prime Minister, for Industry and for the Leader of the Government in the House of Commons.

He was also Vice-Chair of the Standing Committee on Procedures and House Affairs and a member of the standing committees on Fisheries and Oceans, on Canadian Heritage, on Aboriginal Affairs and Northern Development, and on Natural Resources.

Minister Strahl was born in British Columbia in 1957 and was raised in the Fraser Valley. Prior to his election, he was a logging contractor. He and his wife, Deb, have four children.

The NWT Region of Indian and Northern Affairs Canada has a new Regional Director General. Trish Merrithew-Mercredi (née Duggan) began work in Yellowknife on September 4th.



Born in Toronto, Trish moved to Fort Smith with her family when she was just a year old. After six years they moved again, this time to Inuvik where she lived for 18 years. After attending the University of Alberta and graduating with a Bachelor of Arts degree in Sociology, Trish came home to the NWT to work for Canada Employment and Immigration in Inuvik and Yellowknife for close to three years. After that, she spent another three years with an international consulting firm in Yellowknife, concentrating on program evaluation and human resources and community development, before transferring with the firm to Ottawa. While there, Trish was primarily involved with First Nation and Aboriginal community development and health, and increasingly focused on addiction issues. As a private health and addiction consultant, she moved to Vancouver and then to Edmonton to work for the Nechi Institute.

When her late husband, Tony Mercredi, Grand Chief of the Grand Council of Treaty 8 First Nations, was elected chief of the Athabasca Chipewyan First Nation, they moved again and made Fort Chipewyan their home for the next fourteen years. During those years, Trish was the CEO of the Nunee Health Authority and eventually moved on to become CEO of the Mikisew Cree First Nation and its group of companies. In January 2003 she returned to the federal government as a Regional Director for First Nation and Inuit Health, Health Canada, Saskatchewan Region.

When the opportunity to apply for the Regional Director General position was advertised, Trish applied because she had "wanted to come home for a long time." Her familiarity with self-government, the treaty process, the NWT and its people, will help her fulfill "the important role that INAC plays in working with First Nations, Aboriginal people and Northerners."

What is Crown Consultation?

In the course of its daily business, the Government of Canada, through its various departments such as Indian and Northern Affairs, consults with Aboriginal groups, the public, other government departments and agencies, and a variety of other partners on a wide range of topics. Generally speaking, the reasons INAC conducts such consultation fall into three categories:

1) **For reasons of good governance** – in order to make informed and appropriate decisions, as well as to develop good working relationships with those people or groups who may potentially be affected by government actions.

2) **For contractual or statutory reasons** – INAC is often required by law, regulation, or through an agreement such as a Comprehensive Land Claim, to conduct consultations on a specific topic.

3) **Crown consultation** – the Crown may be required to consult with Aboriginal groups as a result of the common law and the Crown's special relationship with Aboriginal peoples, as set out in section 35 of the *Canada's Constitution Act, 1982*. Consequently, this form of consultation is often referred to as "Crown Consultation" or "Section 35 Crown Consultation."

In 2004 and 2005, the Supreme Court of Canada issued three landmark decisions that represented a major shift in the legal requirements for consulting Aboriginal people. In these decisions, the Court further clarified the legal nature of the Crown's duty to consult with Aboriginal peoples. In short, the Courts said that when there are actions or decisions

the Crown is contemplating that could potentially have a negative impact on an established or potential Aboriginal or treaty right, the Crown has a duty to consult, and possibly accommodate.

Canada takes its duty to consult with Aboriginal peoples very seriously, and is developing a national policy to make sure this duty is met. However, due to the unique nature of the Northwest Territories' legislative and regulatory environment, the status of Aboriginal negotiations processes, and the fast pace of natural resource exploration and development there is a need for a proactive, interim approach in the NWT to deal with non-Mackenzie Gas Project-related Crown consultation issues. INAC's Regional Office is pursuing this interim approach to Crown consultation, while ensuring that it meets its mandates to respect Aboriginal and treaty rights, to encourage Northern development, and to protect the environment.

INAC-NWT Region's interim approach to Crown consultation has three goals:

1) To meet the Crown's legal duty to consult with (and where appropriate, accommodate) Aboriginal groups.

2) To avoid duplication with existing consultation processes (e.g. *Mackenzie Valley Resource Management Act* (MVRMA) processes) in an effort to address the realities of consultation fatigue and lack of capacity.

3) To respect accommodations reached through negotiation processes, such as Interim Measures Agreements.

Over the past 18 months, INAC-NWT Regional staff have been meeting with Aboriginal groups, industry representatives and stakeholders to talk about the development of the interim approach to Crown consultation and to gain feedback. For example, INAC, the Mackenzie Valley Land and Water Board (MVLWB) and the Mackenzie Valley Environmental Impact Review Board (MVEIRB) are working together to determine roles and responsibilities with regard to Crown consultation in the context of the (MVRMA). Recognizing that while this work is ongoing, it is still necessary to address ongoing Crown consultation issues. To this end, INAC and the MVRMA Boards are communicating regularly in order to look at permit applications, or other situations where the duty to consult may arise.

Until such time as the Government of Canada's Crown consultation policy is finalized, INAC-NWT Region will continue with its interim approach. During this period, INAC will continue to seek feedback on how the substantive and procedural aspects of consultation obligations may be met.

Just Plain Fun Berry Crazy!



Fall is the time of year when we spend much of our evenings and weekends crawling around on our (red-stained) knees. It's no secret that picking cranberries is a highly habit-forming activity, not to mention highly beneficial. All winter long, the tiny tart berries always make regular appearances at community feasts and potlucks – finding their way into bannock, salads, and sauces.

A little creativity goes a long way when it comes to avoiding CMF (cranberry muffin fatigue). The recipe below, when made using a blender becomes hot pink. This is especially good on a spinach salad or any mixed greens.

Cranberry Salad Dressing

1 1/4 cups (300 ml) fresh cranberries
1 cup (240 ml) water
5 cloves garlic
1 1/2 teaspoons salt
1/4 teaspoon dry mustard
1 cup (240 ml) canola oil

Wash the cranberries in a strainer and transfer them to a blender.

Add the water, garlic, salt, and dry mustard and start blender on low speed for about five seconds. Switch to high speed and blend for one minute or until the cranberries are fully pureed. With the machine still running on high speed, slowly add the canola oil that will gradually thicken the dressing.

Aklavik Students in New Zealand



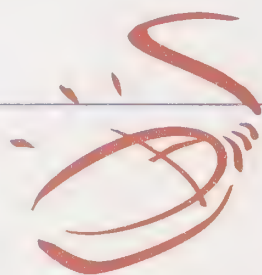
Photo: Velma Illasiak

Two students from Aklavik went to an international conference on Indigenous health knowledge in New Zealand in October 2008. Bonnie Koe, 17, and Autumn Semple, 16, made a video for a one-credit high school course on dietary choices last year. What began as a small video quickly grew into a major project when they conducted interviews with community members and local professionals about the importance of diet.

Tlicho Community Services Agency Wins United Nations Award

Last June, representatives from the Tlicho Community Services Agency travelled to Vienna to accept an award from the United Nations. The agency was the only North American recipient of the prestigious United Nations Public Service Award, along with 14 other organizations worldwide. The award is given for contributions to the improvement of public administration. The Tlicho Community Services Agency gained recognition for excellence and innovation in education, health and social services.

On the Web



Government of Canada programs and services
www.gc.ca

Indian and Northern Affairs Canada
Northwest Territories Region
nwt.inac.gc.ca

Youthbuzz
nwt.inac.gc.ca/Youthbuzz

Agreements
inac.gc.ca/pr/agr/index_e.html

Plain Talk
nwt.inac.gc.ca/pt_e.htm

OUR VISION

The NWT region of INAC is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

Got something to tell us?

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Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord Canada

NWT

Plain Talk

On Land and Self-government

Young People Take an Interest in Negotiations



Photo: INAC


You are never too young to learn about negotiations. These two boys stopped by the band office after school and picked up a postcard about the Acho Dene Koe and Fort Liard Métis community-based land, resource and governance negotiations.

The boys pictured above may be too young to fully understand what land, resource and self-government negotiations mean to their future. However, there is no question in Acho Dene Koe Chief Steve Kotchea's mind what the young people in his community mean to the negotiations and the future of Fort Liard.

"These kids will likely be voting on this deal one day or helping us to implement it afterwards," said Chief Kotchea. "We need them to be thinking about post-secondary education and how they can get prepared to help us take on added responsibilities."

Last fall, high school students in Fort Liard had a chance to get more involved by attending a negotiation session. They spent a couple of hours with the federal and territorial negotiators after the negotiation session.

Negotiators were asked to describe their backgrounds, and how they came to work in that particular field. Students also took the opportunity ask a wide range of questions about the negotiations. Some of the questions and answers are featured in this edition of Plain Talk.

A member of the federal negotiation team, Caroline Dennill, thought the young people were very interested in the details of the negotiations and they expressed concern about how development is having an impact on the land and the animals. "This was definitely a highlight of our community session," she said. The federal negotiation team hopes to expand on this success by doing more sessions with young people in the coming year. 

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Just Plain Fun
What's in a name?

(Fall 2009)

Who Represents Canada

in negotiations and how do they do it?

Publications and news stories on land, resource and governance negotiations often talk about “Canada” being a party to the negotiations while identifying Indian and Northern Affairs Canada (INAC) as the main federal department involved in negotiations. It may not always be clear who represents the Government of Canada at the negotiation table and what that actually means.

In fact, Canada’s negotiation team consists of a number of people, most of whom are INAC employees. With a few exceptions, the team is responsible for representing the entire federal government in the negotiations. In practical terms, this means the INAC negotiation team must consult and take guidance from 15 or more federal departments and agencies that have the information and authority in important areas covered by land, resource and self-government agreements.

Canada’s negotiation team is usually led by a Chief Federal Negotiator, supported by negotiators and advisors, including legal counsel from Justice Canada and policy experts, sometimes from other departments. This team also works with many other subject-matter experts throughout the Government of Canada. Together, they study the issues under negotiation to understand all the angles and to negotiate agreements that balance the wide range of environmental, social, economic, legal and policy interests of Aboriginal people and all Canadians.

Once the team has an agreement to recommend for approval, it needs to be reviewed by all affected departments and approved by the Government of Canada. This process normally takes several months.

Here are some of the departments involved in negotiations, and examples of the negotiation topics they are involved with.

- **Canadian Heritage:** heritage resources, language and culture provisions and intellectual property issues
- **Canadian Wildlife Service:** migratory birds and protected areas
- **Finance Canada:** financial arrangements and taxation (Finance Canada directly negotiates taxation, rather than INAC)
- **Fisheries and Oceans Canada:** fish and fish habitat
- **Foreign Affairs and International Trade Canada:** international legal obligations
- **Human Resources and Skills Development Canada (Labour Canada):** labour matters
- **Industry Canada:** intellectual property issues
- **Justice Canada:** general legal language, certainty, dispute resolution and administration of justice
- **National Defence:** access for military operations
- **Parks Canada:** national parks, protected areas and historic sites
- **Privy Council Office:** overall governance considerations, consistency with national priorities and policies
- **Public Service Commission:** public service employment
- **Public Works and Government Services Canada:** contracting
- **Treasury Board:** contracting, accessing funding and financial proposals 🐾

Negotiation Questions

from Grade 9 students in Fort Liard

The following is based on some of the questions Grade 9 students submitted to the federal negotiation team last fall. They are all related to the ongoing Acho Dene Koe and Fort Liard Métis community-based land, resource and governance negotiations.

Is this a comprehensive land claim or a specific land claim?

Acho Dene Koe and the Fort Liard Métis are jointly negotiating the first community-based comprehensive land claim in the NWT.

Comprehensive land claims are modern treaties that exchange undefined Aboriginal rights for well-defined rights and benefits. Some of these include:

- Title to lands and resources,
- Guaranteed wildlife harvesting,
- Participation in land and resource management systems,
- Financial compensation,
- Resource revenue sharing, and
- Economic development measures.

Under a comprehensive land claim agreement, selected lands are not be considered “reserve” lands.

Will we be able to get a share of the royalties collected on lands we do not select?

In addition to land ownership, the Acho Dene koe and Fort Liard Métis can negotiate receive a share of resource royalties from development (diamonds, other minerals, oil and gas) in the Mackenzie Valley.

Will water, hunting, trapping, fishing, lumber, mineral, trading, etc., etc. be a package for negotiations in this modern treaty?

Yes, these are all topics for negotiation within this modern treaty. Acho Dene Koe and Fort Liard Métis rights in relation to water, hunting, trapping, fishing, lumber, minerals, trading, etc. will be clarified in this agreement. See Section 4 of the Framework Agreement for a complete list of topics for negotiation.

If this is a comprehensive claim, will education rights from Kindergarten to university be enshrined in the modern treaty?

These negotiations will happen in two phases. The first phase includes land, financial payments, public community government, wildlife harvesting and a range of other matters listed in the Framework Agreement.

Education is listed as a topic for negotiation in Phase II. Phase II negotiations may begin 10 years after the effective date of the Phase I Agreement, at the request of any of the parties (ADK, GNWT or Canada).

For now, the GNWT will continue to deliver key programs and services such as health care, education and other social programs and services in Fort Liard.

Are all other services, such as health, healing social programs, housing, economic, public works, etc., part of the negotiations of this modern treaty?

Yes, these are all topics for negotiation in Phase II, with the exception of public works. Public works, referred to as Municipal Works in the Framework Agreement, is listed as a topic for Phase I negotiations.

Is the money negotiated in these modern treaty talks to be used for cost of services that are part of the negotiations? If not, where is the Acho Dene going to get the finances to run the programs?

ADK is not expected to use the cash compensation component of a final agreement to deliver services that are part of the negotiations.

Most subject matters dealing with programs and services will be dealt with in the Phase II negotiations. The cost of Aboriginal self-government is shared among federal, territorial and Aboriginal governments and is subject to negotiations.

Government policy also requires that an implementation plan be negotiated amongst the parties before a final agreement is reached. The implementation plan breaks down the formal obligations of each of the parties into activities, timeframes and funding required. Based on this plan, funding is provided so that the agreement can be put into operation. Initial implementation plans are usually for a period of 10 years.

Taxation is also a topic for negotiation in both Phase I and Phase II. It may be a possible source of revenue.

What is a Chief Federal Negotiator?

A land, resource and governance negotiation team is usually led by a head negotiator. In Canada's case, this head negotiator is called the Chief Federal Negotiator, or CFN. This person represents Canada at the negotiation table and is appointed by, and accountable to, the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians. It is the CFN who recommends any agreements to the Government of Canada for signature. Here is a bit of information about three of the CFNs currently working on negotiations in the NWT.

John Klassen



John Klassen was appointed as Canada's Chief Federal Negotiator for both the Akaitcho Dene and Northwest Territory Métis negotiations in June 2007. John was born in Edmonton and has lived across Canada. He has a Bachelor of Arts and a Master of Arts in Political Science. He has worked on behalf of the federal government in Canada and around the world in various capacities for nearly 32 years.

His approach to negotiations:

"I believe in a cooperative, collaborative approach to negotiations. Of course, there are

differences, but these can be overcome with hard work plus respect, honesty and fair-mindedness in our treatment of each other."

What he enjoys most about being a CFN:

"I particularly enjoy learning much more about the history, society and traditions of Aboriginal people; learning about a part of Canada that I did not know well, especially visiting the smaller communities; and working on all sides with wonderful people committed to a better future for all concerned."

Tim Christian



Tim Christian is a lawyer and professor of law with extensive experience in constitutional, labour and administrative law. Since 1995, he has been involved in a number of negotiations with Aboriginal groups on behalf of Canada and has achieved agreements with Smith's Landing First Nation (2001), Salt River First Nation (2002) and Fort McKay First Nation (2003). Tim took on the role of CFN for the Dehcho Process negotiations in 2004. He is also Canada's CFN for the community-based negotiations with Ache Dene Koe First Nation and Fort Liard Métis (Fort Liard).

His approach to negotiations:

"I believe in interest-based negotiations. This means trying to understand the interests of all parties and finding options for satisfying their interests. Of course, this is easier said than done.

Still, I always try to see behind the positions stated at the table to the underlying interests. If one really understands the interests it is possible to design quite creative solutions. There is nothing more rewarding than discovering a compromise that works for all parties."

What he enjoys most about being a CFN:

"It is a great honour to represent Canada in efforts to reconcile the sometimes difficult relationship between Aboriginal groups and Canada. One has the feeling of participating in nation-building. I most enjoy the intense interaction with all the different people involved. There is rarely a dull day and there is often great humour. I have had the good fortune to work with very talented and committed people on both sides of the table, and I have made some lifelong friends."

Darrel McLeod



Darrel McLeod is Nehiyaw (nay-hee-yow) or Cree from Northern Alberta, and is currently negotiating self-government agreements with four Sahtu Dene communities. Previously, he has worked with the Assembly of First Nations (AFN) in

various capacities on national and international projects. He was also the lead organizer of the Second Indigenous Peoples' Summit in Buenos Aires in 2005. Darrel has been a Director of Intergovernmental Relations for the INAC-BC Region, a senior negotiator in BC, a teacher, a school principal, a director of curriculum at the post-secondary level, and special advisor to the BC Minister of Advanced Education. In addition, Darrel has been chair of the UBC President's Advisory Committee for 12 years.

What is your approach to negotiation?

"Negotiations demand a variety of approaches, techniques and skills. The theoretical framework that I follow is, of course, interest-based negotiations. There is often a great deal of commonality in the vision, goals and intent between the parties to the negotiation and the challenge is to have the patience, openness and willingness to find that common ground and build on it. To facilitate this, it is very important to establish strong and effective relationships with the Chief Negotiators and their respective teams. It is also critical to have a thorough understanding of the 'on the ground' reality of the communities with which we negotiate."

What do you enjoy most about being a CFN?

"It is a fascinating experience to work with the Sahtu Dene and Métis people and a privilege to spend time in their communities. I enjoy the incredible demands that the negotiating process places on me and my team. I enjoy the intensity of the process and the excitement of arriving at constructive solutions to issues that are complex and often emotionally-charged. I also enjoy working with wonderful and talented people on all sides of the table. It is very rewarding to arrive at reconciliation between an Aboriginal community and Canada and to have the community validate that they are pleased with the outcome."

Just Plain Fun!

What’s in a Name?

Well, lots actually! Did you know that most communities in the NWT have an official and a traditional name? These traditional names often tell us a lot about the history and special features of a community. See if you can guess the traditional name for the communities in the NWT. For an added challenge, see if you can guess what they mean.

Traditional Names

- a. Saamba K’e (sahm-ba-k-ay)
- b. Pedzéh Kǐ (pedh-zehkeenh)
- c. Behchokǝ (beh-cho-kohn)
- d. Sǝmbak’è (sawm-ba-k-ay)
- e. Délǵne (day-linh-nay)
- f. Tthenáágó (t-theh-na-ah-go)
- g. K’ágee (k-a-gay)
- h. Xátǝ’odehchee (hat-hlow-deh-chee)
- i. Łíídlǵ Kǐé (hlih-dlinh-kwenh)
- j. T’èzehda (h-eh-eh-da)
- k. TtheK’éhdélǵ (t-theh-k-ay-day-leenh)
- l. Rádeyǵłkóé (rah-day-ınh-linh-kway)
- m. Echaot’je Kǐé (etch-ah-oat-eenh-kwenh)
- n. Inuvik (ı-noo-vik)
- o. Tuktuujaqrtuuq (tuck-too-yak-took)
- p. Ikaahuk (ih-kah-hook)
- q. Zhahtı Kǐé (ja-tea-kwenh)
- r. Denınu Kǐé (deh-nih-noo-kwenh)
- s. K’áhbamǐtúé (k-ah-ba-meenh-tway)
- t. Tthebacha (t-theh-batch-ah)
- u. Łútsǝłk’é (hloot-sul-k-ay)
- v. Aklarvik (a-klah-vıhk)
- w. Ulukhaqtuuq (oo-luke-hak-took or oo-loo-hak-took)
- x. Teetǝ’ıt Zheh (tet-hlih-t-zhay)
- y. Gahmǐti (gah-minh-tea)
- z. Tǵegǝhtǵ (t-hleh-gonh-teenh)
- A. Paulatuuq (pall-a-tuck)
- B. Tsıgehtshık (tsıh-gay-chık)
- C. Tulıt’a (too-lee-tah)
- D. No traditional name identified
- E. No traditional name identified
- F. No traditional name identified

Meaning

- 1. Mouth of the iron river
- 2. Where there is material for ulus
- 3. Between the willows
- 4. People from the land of giants place
- 5. Burnt point
- 6. Barrenground grizzly place
- 7. Moose island place
- 8. Looks like a caribou
- 9. Marten Lake
- 10. Money Place
- 11. Moving or flowing water
- 12. Rock lake
- 13. At the head of the waters place
- 14. Place where rivers come together
- 15. Beside the rapids
- 16. Where the waters meet
- 17. Place to which you cross
- 18. Rapids place
- 19. Strong rock
- 20. Hay River
- 21. Place of man
- 22. Place of the Łútsǝł – a type of small fish
- 23. Ptarmigan net place
- 24. Rabbit-net place
- 25. Water flowing over clay
- 26. Place of coal
- 27. Trout lake place
- 28. Mission house place
- 29. Clay place
- 30. Where there is oil
- 31. No meaning identified
- 32. Mbhecho’s place

To learn more about this and other interesting aspects of the NWT’s heritage, visit the Prince of Wales Northern Heritage Centre or its website at www.pnhc.ca.



Tuktoyaktuk (o, 8), Tulıta (C, 16), Ulukhaktok (w, 2), Wekweèti (E, 12), Whatı (F, 9), Wrigley (b, 29), Yellowknife (d, 10), Jean Marie River (k, 25), Kakisa (g, 3), Łutsǝłk’é (u, 22), Nahanni Butte (f, 19), Norman Wells (z, 30), Paulatuk (A, 26), Sachs Harbour (p, 17), Trout Lake (a, 27), Tsiigehtchic (B, 1), Aklavik (v, 6), Behchokǝ (c, 32), Colville Lake (s, 23), Délǵne (e, 11), Dettah (ı, 5), Enterprise (D, 31), Fort Good Hope (ı, 18), Fort Liard (m, 4), Fort McPherson (x, 13), Fort Providence (q, 28), Fort Resolution (r, 7), Fort Simpson (ı, 14), Hay River and Hay River Deene Reserve (h, 20), Inuvik (n, 21),

Got something to tell us?

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- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

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On the Web

Government of Canada programs and services
www.gc.ca

INAC - NWT Region
nwt.inac.gc.ca

Youthbuzz on the NWT
nwt-tno.inac-ainc.gc.ca/yb/yb-0-eng.asp

Agreements
nwt-tno.inac-ainc.gc.ca/atr/ent-agr-eng.asp

Plain Talk on the web
nwt-tno.inac-ainc.gc.ca/atr/fp-pt-eng.asp

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NWT

Plain Talk

On Land and Self-government


NWT Water Resources – A Healthy Future

When people think of the Northwest Territories (NWT), the first thing that comes to many minds is its natural beauty – vast boreal forest, magnificent mountains descending into marsh, rolling tundra, pristine lakes and free-flowing rivers. This rich landscape hosts many species of birds, fish and wildlife, and is the place that generations of Northerners call home. It is a place where cultural traditions, many based on connections with nature, play a large role in everyday life. Critical to the health of the territory's people and this unique landscape...is a continued supply of clean and abundant water resources.

As pressures on water resources increase both within the territory and from neighbouring jurisdictions, the Government of Canada recognizes that effective water management is a top priority for Northerners and Canadians. Aboriginal leaders and many others have spoken clearly and emphatically about their concerns regarding the future of the NWT's water resources. It is clear that territorial residents need to collectively play a greater role in understanding the significance of current and emerging water management issues; and in shaping the future direction of water resources management.

Indian and Northern Affairs Canada, in partnership with the Government of the Northwest Territories, has been working on the development of the NWT Water Resources Management Strategy since early 2008. A discussion paper entitled *Northern Voices, Northern Waters - Towards a Water Resources Management Strategy for the Northwest Territories* was released last June. It includes a proposed approach to developing a strategy that will best reflect the interests and needs of NWT residents. Engagement with water partners is highlighted as a key component of this approach and discussions to help define the NWT's 'northern voice' have been underway for several months. A multi-party Steering Committee has been formed to oversee this initiative, which includes Aboriginal Leadership and government representatives.

Based on input from territorial water partners and residents, the NWT Water Resources Management Strategy will help guide all water use and management decisions. The development and implementation of this made-in-the-North strategy is an important step to ensure water resources in the NWT remain sustainable and continue to support the territory's people and overall environmental health.

Watch for the release of the strategy in upcoming months. Visit www.enr.gov.nt.ca or call 867-920-3296 for more information. 



In This Issue:

NWT Water
Resources –
A Healthy Future

The Environmental
Stewardship
Framework

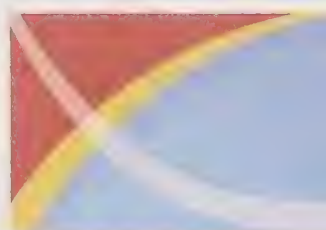
What about
the NWT's
Transboundary Water?

Cumulative Impact
Monitoring

Technicians in Training

Just Plain Fun...
Water Challenge

Spring 2009



The Environmental Stewardship Framework

All Northerners have a responsibility to care for the land and water. In the NWT, a number of organizations play leadership roles in carrying out this shared responsibility, called “*environmental stewardship*”. These include Aboriginal governments, the territorial and federal governments, co-management resource boards, regulatory boards, environmental non-governmental organizations, communities and industry.

What is it? The Environmental Stewardship Framework (ESF), previously known as the Cumulative Effects Assessment and Management Framework or CEAMF, was created in 2000 to support responsible economic development within the context of sound environmental stewardship. The Framework is like a “big toolbox” that includes all the different programs and initiatives that focus on taking care of the environment.

What is in the toolbox? The Framework recognizes that there are many components that must come together to make sure that the environment is protected, that communities thrive, and the economy is strong. These components are:

1. **Vision and Objectives:** It is important that residents of the NWT share a common vision for environmental stewardship. Where do we want to go? How do we want to get there? These are questions that Northerners need to ask themselves and each other and come up with a collective answer.
2. **Land Use and Conservation Planning:** Land use plans help to guide development and protect important ecological and cultural areas. They provide a context for both conservation and development. Protected areas are an important part of land use plans and community conservation plans.
3. **Baseline Studies and Long-term Monitoring:** Understanding baseline (pre-development) conditions and monitoring changes over time will help ensure that adverse effects are avoided or minimized. It will also help us determine which changes are caused by development and which changes are the result of natural variation.
4. **Research:** Environmental studies (e.g. determining why caribou numbers are falling) will increase our understanding of the environment, culture and economy, and improve our ability to make better decisions.
5. **Environmental Screening, Assessment and Review:** Thorough examination of the potential effects of development proposals are essential to ensure that if a project proceeds, it does so with minimal negative environmental effects and maximum social benefits.
6. **Regulation and Enforcement:** Regulation involves rights issuance, land use permitting, water licensing, and/or harvest quotas. If a project receives permits to proceed, the terms of these permits (including land and water licences) are intended to ensure that related environmental effects are minimized, monitored carefully and that appropriate changes are made to the project as it proceeds. The rules are enforced by the responsible authorities.
7. **Information Management:** Environmental and social information needs to be made available to all users in an understandable fashion. This will support good decision-making and help us to avoid studying the same thing over and over again, or missing areas that we need to study.
8. **Capacity-building:** Groups must have the people and finances to effectively participate in decision-making at all levels. Only in this way will decisions reflect the values and visions of the people affected.
9. **Coordination:** All participants must work together to implement the Framework. No one group is without responsibility; no one group has the sole responsibility. All of us




A field of fireweed located in one of the NWT's 42 ecoregions. Ecoregions are relatively large areas with similar climate, vegetation, geology and other ecological features.

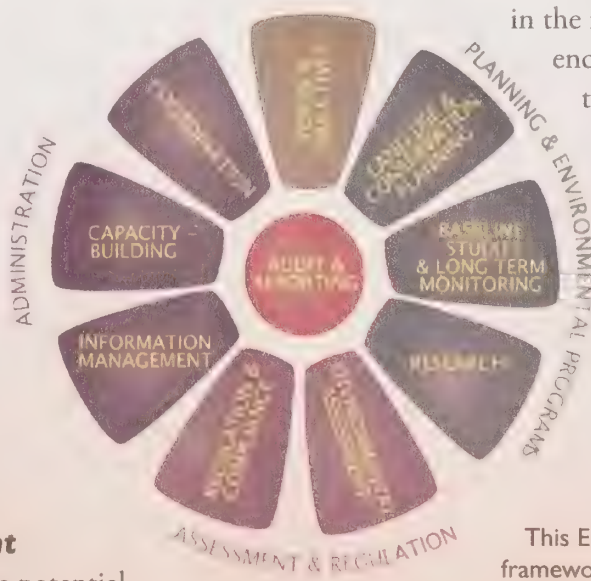
have a role to play in ensuring the environment is protected and that we benefit from responsible economic development.

10. **Audit and Reporting:** Audits, including the NWT Environmental Audit, check on the health of the environment and the regulatory system. The results inform decision-makers on ways to improve operations.

How are the tools used?

To help different organizations understand where they fit in and how they can be the most effective in implementing the Framework, the ESF Steering Committee provides guidance and advice in the form of the ESF *Blueprint*. Organizations are encouraged to use the recommendations found in the *Blueprint* to guide both everyday activities and long-term planning; and to help fill in any gaps by working with other environmental stewards. The *Blueprint* is reviewed and updated annually to help evaluate progress. Managing who-does-what to help protect the environment is complex, and the ESF *Blueprint* helps everyone keep track.

For more information, visit www.ceamf.ca or phone 867-669-2594. 



This ESF Diagram shows how all the different framework components are interlinked.

How is INAC an Environmental Steward?

Taking care of the land and water in the NWT falls within Indian and Northern Affairs Canada's (INAC) mandate. The Department fulfills its environmental stewardship role in many ways. Some activities include:

- environmental research
- baseline data collection and analyses
- cumulative effects monitoring
- providing technical expertise
- land use planning participation
- capacity-building support
- enforcement activities
- regulatory regime involvement
- traditional knowledge incorporation
- operating an environmental laboratory
- guideline and policy development
- contaminated sites clean-up activities

What about the NWT's Transboundary Water?

Water in the NWT is impacted by activities in other jurisdictions – the flow of rivers and lakes simply does not recognize borders between provinces and territories. As the authority responsible for water resources management pursuant to the NWT Waters Act, INAC participated in the negotiation of a formal agreement on transboundary waters with its neighbours. The Master Agreement on managing transboundary waters in the Mackenzie River Basin was signed by Alberta, Saskatchewan, British Columbia, the Yukon, the Northwest Territories and Canada in 1996. This agreement requires provinces and territories to negotiate the specific details of how transboundary waters will be monitored and managed in each jurisdiction through bi-lateral or potentially multi-lateral agreements. The NWT currently has a bi-lateral agreement in place with the Yukon. INAC's team of scientific experts monitor transboundary waters on an on-going basis to detect any environmental changes, and have engaged in this work since the early 1990's. Supported by technical findings and data from monitoring activities, the NWT Water Resources Management Strategy will help guide upcoming negotiations with other jurisdictions.

What does the Mackenzie River Basin Board do?


The Master Agreement also set up a unique management body – the Mackenzie River Basin Board. INAC's Regional Director General sits on this Board along with other federal, territorial and



ABOVE: The Liard River drains into the Mackenzie River at the community of Fort Simpson. Water quality monitoring stations are set up on the NWT's four main transboundary waterways: the Slave River, Hay River, Liard River and Peel River.



LEFT: Water quality and quantity is monitored throughout the NWT on a regular basis.

provincial government representatives. The Mackenzie River Basin Board's mandate is to facilitate transboundary water agreements and monitor the overall state of the aquatic environment in the Mackenzie Basin. Monitoring results are compiled every five years to detect and/or evaluate trends or impacts on northern waterways – this *State of the Aquatic Ecosystem Report* is considered an "ecosystem check-up". A working group is currently compiling an inventory of Traditional Knowledge that relates to oil sands, hydro-electric projects and climate change to be used by the Board. The next report is anticipated later in 2009. Visit www.mrbbb.ca for more information. 


Cumulative Impact Monitoring



The Northwest Territories is the only jurisdiction in Canada where the implementation of a cumulative impact monitoring program is required under law. Cumulative impacts are changes to the biophysical, social, economic, and cultural environments caused by the combination of past, present and "reasonably foreseeable" future actions. The NWT Cumulative Impact Monitoring Program (CIMP), which is set out in land claim agreements as well as the Mackenzie Valley Resource Management Act, requires governments to collect information on how all uses of land and water including deposits of waste affect the NWT environment – a big job!

To help get this job done, the CIMP and Inuvialuit have partnered to develop and implement a community-based monitoring program in the Mackenzie Delta. This is a pilot project that will help Northerners document and understand how the land is changing or being impacted by development. The project will promote capacity building, test data collection and reporting protocols, foster community engagement and support the use of both traditional knowledge and science. It is intended to enhance the communities' overall role as environmental stewards.

As part of this project, the CIMP is working with a number of partners – the Sahtu Renewable Resource Board, the GNWT's Department of Education, Culture and Employment, Fisheries and Oceans Canada and Environment Canada – to establish community-based environmental monitoring sites where high school students will be introduced first-hand to environmental science. The initiative is linked with the concurrent development of a territory-wide grade 10 experiential science curriculum.

This Mackenzie Delta pilot project endeavours to engage community monitors and youth in scientific data collection, and to provide a voice to Inuvialuit Traditional Knowledge that expresses Inuvialuit views about the local environment and its changes. Building on project results and lessons learned, it is hoped that similar community monitoring programs will be developed in other regions of the NWT. Visit www.nwtcimp.ca. 



Communities play an important role as environmental stewards. Members from the community of Tuktoyaktuk are actively involved in CIMP's pilot project. L-R: Steve Kokelj, Philip Nasogaluak, Logan Gruben, Peter Voudrach and Chucky Gruben Top: Craig Gruben, Fred Wolki

Technicians in Training

Many of us never stop to think about a lake or our favourite park at a smaller scale - like the size of a molecule or an ion - yet it can be quite fascinating. It's amazing what can we learn about water, for example, when we look at the microorganisms that live in it, or the chemicals that are dissolved in it. What do these things tell us? Who are the people that can gather and communicate this type of information?

The answers can be found at INAC's Taiga Environmental Laboratory. This is a fully accredited northern-based laboratory, which means it is the place to go for top-quality analysis of water, sewage, effluent and soil in the NWT. All testing is done by experienced lab technicians at the Yellowknife-based facility.

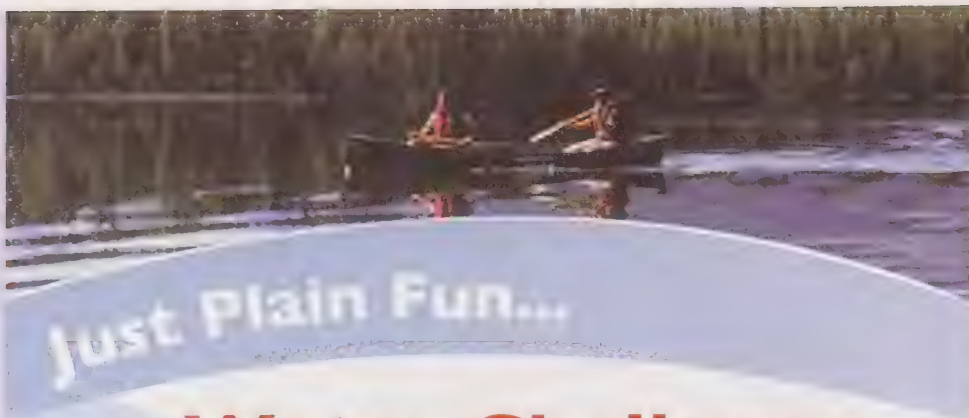
Taiga is committed to training Northerners in the area of environmental chemistry, and is able to provide learning opportunities through its working relationship with Aboriginal Engineering Ltd. Each summer post-secondary northern students are hired to work as Junior Lab Technicians. These students learn about the day-to-day operation of an accredited laboratory, how to analyze samples, safety in the workplace, as well as how to operate instrumentation.

The lab has recently started a new initiative to help promote awareness and interest in environmental science. High school students are hired as part of an after school work experience program. This year, Nick Hurst, a Sir John Franklin High School student, has spent a few hours each week working at the lab. He plans to attend university in the fall to study in a science-related field.

Visit <http://nwt-tno.inac-ainc.gc.ca/taiga> for more information on training programs and/or laboratory services. 🐾



Grade two students from J. H. Sissons Elementary School in Yellowknife conduct exciting science experiments while touring the Taiga Environmental Laboratory. L-R: Emma Butler, Logan Clark, Alexandra Adolf and Hana Steinwand.



Water Challenge

We can all play a role in protecting the environment. Many environmentally responsible acts, no matter how small, always add up to one healthier environment.

The Challenge

Challenge yourself and your family to perform all the following activities on a regular basis for a period of one week. Once you are in the habit of conserving (and protecting) the NWT's valuable water resources...there is no need to stop. Keep on making environmentally responsible choices.

- Turn off the faucet when you are brushing your teeth – continuous flow from a tap may use 4 to 5 litres of water per minute.
- Wear clothes more than once before washing - next to the toilet the washing machine uses the most water in the average home.
- Be conscious of water use when rinsing dishes in the sink – running the faucet unnecessarily is literally washing a valuable resource down the drain.
- Try to consciously shave a few minutes off your regular shower routine - baths generally use more water than a shower.
- Use environmentally-friendly cleaning products – this reduces the amount of hazardous chemicals getting into NWT water systems.
- Always turn off taps completely (make sure to get any broken ones fixed) - a dripping faucet can mean a loss of as much as 50-75 litres a day.
- Stoop and scoop after your pets – it's melting time, if its not picked up poop can dissolve into the ground eventually making its way into water sources.

Save more: Placing a toilet dam (sealed plastic bottle filled with sand or water) in your toilet tank can save an average family over 45,000 litres of water per year.

Yes, you can make a difference! 🐾

Got something to tell us?

Here's who to contact:

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NWT

Plain Talk

On Land and Self-government

Implementation - An Evolving Relationship

Have you ever wondered what happens after a land claim or self-government agreement is signed?

It takes years for the parties to negotiate a final agreement and, once it is signed, many more years for some of the key commitments of the agreement to be fulfilled. Fulfilling commitments and putting the agreement to work is called "implementation". During the negotiations phase, the parties set out a plan that lays out how they will work together to implement the agreement. The plan sets out how the parties will put in place the many actions and changes the agreement calls for in renewing relationships between the federal government, the Aboriginal group and the territorial government.

In the case of a comprehensive land claim agreement, the implementation work begins with fulfilling specific one-time obligations, such as the survey and transfer of land, cash compensation and funding arrangements, and the creation of boards. In the case of a self-government agreement, the work begins with establishing the new bodies that will provide governance and operational capacity. These are major, complex undertakings that require the cooperation of experts on all sides.

While a comprehensive land claim or self-government agreement defines the rights and responsibilities of each party, the implementation plan and accompanying documents—for example, financial transfer agreements—describe how the parties work together on a day-to-day basis, interpreting how the agreement applies to real situations.

All parties—federal, Aboriginal and territorial—must combine their efforts to make an agreement work, using the roles provided by the Agreements and implementation plans to guide all of their activities.



In This Issue:

Implementation -
An Evolving
Relationship

Historic Treaties &
Modern Treaties

The CLCA Path -
from Negotiations to
Implementation... and
Beyond

What's Been Done
So Far?

Measuring Success -
Evaluating Land Claims
Implementation

Where Can You Find
More Information?

Historic Treaties and Modern Treaties

In areas of the NWT where "modern" treaties (also known as comprehensive land claims) have not yet been reached, there are original, or "historic" treaties in place signed by the Dene between 1899 and 1922—Treaties 8 and 11. These historic treaties and the rights outlined in them are constitutionally recognized and protected, just as are rights in the modern treaties.

In these areas, the Crown must rely on the original treaties to guide its consultations, actions and relationships with Aboriginal people in the Deh Cho and South Slave areas. Implementation of historic treaties is an ongoing process guided by Canada's Aboriginal policies, the Indian Act and the ongoing balance of Aboriginal and non-Aboriginal interests and rights through legislation, regulation and policy.

Treaty: A negotiated agreement between a First Nation and the Crown, (represented by the federal and provincial or territorial governments) that spells out the rights of the First Nation with respect to lands and resources and may also define rights.

The purpose of our newsletter is to keep you informed on the progress of land and self government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of Indian and Northern Affairs Canada (INAC), we hope you will find our newsletter informative and easy to read.

Canada

Spring 2010

The CLCA Path - From Negotiations to Implementation... and Beyond



Members of the Inuvialuit Implementation Committee celebrate the 25th anniversary of the Inuvialuit Final Agreement in Edmonton, October 2009.

Comprehensive Land Claims Agreements (CLCAs)

CLCAs are negotiated in areas of the country where Aboriginal rights and title have not been addressed by historic treaties or other legal means, or where there remains outstanding disagreement around the terms of those treaties.

In the NWT, CLCAs are modern treaties between Aboriginal groups, Canada and the territorial government. They are negotiated to deal with the uncertainties and disagreements that exist around the original historic Treaties. In areas where both a historic treaty and a modern treaty exist, some rights from the historic treaty are maintained, while others are exchanged for rights in the modern treaty. This is clearly described in the modern treaty.

While each CLCA is unique, these agreements usually include such things as land ownership and management, money, wildlife harvesting rights, participation in land, resource, water, wildlife and environmental management, and measures to support economic development and protect Aboriginal culture.

Agreements may also include provisions relating to Aboriginal self-government, or provide for future negotiations of self-government.

Implementation Plan

An implementation plan is a detailed action plan that describes what each party must do to put the Final Agreement into effect, and when and how they will do it.

The implementation plan is developed by the parties to an agreement at the same time as the final agreement is being negotiated.

Implementation plans are reviewed and renewed every few years. Implementation plans are guides and can be changed by the representatives of the parties when needed to ensure the Agreement is working well.

Implementation Committee

The parties to a CLCA agree to form an implementation committee. The implementation committee is where the parties meet and talk about how best to work. It is a fundamental part of the partnership between the parties and allows the parties to discuss issues, work on joint solutions to problems as they arise, and find improved ways of working together.

The implementation committee is also responsible for reviewing the implementation plans and updating them, and for various types of communications activities.

Implementation committee members are appointed to represent each party – federal, Aboriginal and territorial. The committees generally meet two or three times per year.

Role of Canada

All departments have a responsibility to make sure the obligations and rights in the Agreement are respected. For some departments, this means working on completing specific obligations for Canada as set out in the Agreement. For others, it means making sure that they

conduct government business in a way consistent with the rights and obligations set out in the Agreement.

Role of INAC

Indian and Northern Affairs Canada (INAC) has a coordinating role on land claim and self-government agreement implementation for the Government of Canada, and acts as the link to other government departments. INAC provides advice to the departments, and represents Canada on the implementation committee.

Managing implementation within the federal government

Federal implementation obligations are fulfilled by various departments and agencies, covering a wide range of subject matter in the agreements. Activities related to implementation are carried out in the regions and at a national level. Across Canada, the importance of clear communication and discussion of both federal obligations, roles and relationships related to these agreements continues to be recognized.

Canada is working to improve communication and discussion of the federal role in treaty implementation, to ensure it fulfills its responsibilities under modern treaties in a coordinated and consistent manner. Central and regional caucuses are being explored as a tool that would assist federal departments to more easily exchange information, and allow for quick action on issues.

Relationships beyond implementation

While there are set objectives, deliverables and milestones that must be achieved once a land claim or self-government agreement is signed, the work of implementation continues past the tasks outlined as part of the implementation plan, and becomes a new way for Aboriginal people and governments to work together going forward. 🦋

The real outcome of implementation is the evolution of the relationship between governments and Aboriginal people, as well as other affected groups, such as developers.

Investment and Economic Growth

In addition to building strong partnerships

between Aboriginal people and governments, the implementation of modern treaties creates a positive and stable climate for investment and economic growth.

Implementing modern treaties has a positive effect on economic and investment growth, by:

- Fostering sustainable resource development supported by local people
- Enhancing land claim participants' ability to establish businesses that benefit beneficiaries
- Supporting political, human resource and capacity development

Here in the NWT, implementation of modern treaties has contributed to the successes of the Inuvialuit, Gwich'in, Sahtu, and Tłı̨chǫ in business development and resource industry participation, and has a positive influence for all on investment and development of the NWT.

NWT

Plain Talk

On Land and Self-government

Plain Talk Reader Survey

I read Plain Talk

- ☐ Yes
☐ No

The information in Plain Talk is
interesting and useful.

- ☐ Yes
☐ No

I would prefer to receive information on land
claims and self-government via email or read it on
the web rather than in paper format.

- ☐ Yes
☐ No

All responses to the survey will be entered in a
draw for a prize.

Name: _____

Address: _____

Canada

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COMMUNICATIONS AND
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What's Been Done So Far?

In the NWT, Canada has completed almost all of its 'one-time' obligations outlined in settled claims, and continues to fulfill its recurring obligations and to work towards meeting the overall objectives under the claims. The implementation committees have been essential in implementation activity successes to date, and Canada is making efforts to encourage all parties to use the implementation committees to address implementation issues.

Land conveyance, or the formal transfer of title to lands, has been completed in the Inuvialuit, Gwich'in, Sahtu and Tłı̨chǫ settlement areas. All necessary surveys are done and land titles have been registered at the land titles registry.

Tłı̨chǫ Lands – Colomac Mine Remediation

The Tłı̨chǫ Land Claim and Self Government Agreement was signed on August 25, 2003 by the Tłı̨chǫ Government, the Government of the Northwest Territories and the Government of Canada. The agreement covers an area of 39,000 km² north of Great Slave Lake. The Tłı̨chǫ Agreement is a combined land and self-government agreement, the first agreement of its type in Canada.

Tłı̨chǫ Elders identified the Colomac Mine Site, a former gold mine, as a major concern early in the Tłı̨chǫ land claim negotiation process. One of the main concerns at Colomac was tailings water which contained, among other substances, cyanide—a chemical that was used to remove the gold from the ore.

The Colomac Remediation Plan was developed in partnership with the elders, who provided traditional knowledge and advice about caribou migration around the Colomac site and traditional land use in the Indin Lake area.



Ron Breadmore, INAC Project Manager, toasts Isadore Zoe with a cup of water from the tailings pond at Colomac Mine in July 2009.

Remediation of the former Colomac gold mine is in its final stages, and water at the site is now safe once again. Throughout the project, Tłı̨chǫ businesses have been involved in the project, either as primary or sub-contractors, bringing benefits to Tłı̨chǫ community members.

REMEDIATION: To remove, reduce, or neutralize waste or hazardous material from a site to prevent or minimize harm to the environment or public safety. In general, it means to clean-up a contaminated site.

Sahtu Settlement Area – proposed Nááts'ihch'oh National Park Reserve

The Sahtu Dene and Métis CLCA came into effect on June 23, 1994. The agreement recognizes Sahtu Dene and Métis ownership of 41,437 km² of land and allows for negotiation of self-government agreements on a community by community basis with the five Sahtu communities. These self-government negotiations are now under way.

In April 2008, the Government of Canada signed a Memorandum of Understanding (MOU) with designated Sahtu organizations (land corporations) established under the land claim agreement representing the Dene and Métis of the Tulita District. This is a critical step towards the creation Nááts'ihch'oh of National Park Reserve because it launched the negotiations towards an Impact and Benefit Plan, required under the Dene and Métis Comprehensive Agreement.

The Government of Canada provided the land corporations with a contribution agreement of \$500,000 over two years to assist them in negotiating the Impact and Benefit Plan that will lead to the establishment of the national park reserve. In addition, 7,600 km² of wilderness were temporarily protected through an interim land withdrawal while the Impact and Benefit Plan is being negotiated.



Nááts'ihch'oh (Mt. Wilson) in the proposed Nááts'ihch'oh National Park Reserve

Inuvialuit Final Agreement – Land Exchanges

The Inuvialuit Final Agreement (IFA) was signed in 1984. The agreement created the Inuvialuit Settlement Region (ISR) in Canada's western Arctic, spanning 906,430 km². Canada, the Government of the Northwest Territories and the Inuvialuit are making steady progress in self-government negotiations, as these matters were not addressed in the CLCA.

During the land selection process for the (IFA), Canada retained certain land for the creation of the Pingo Canadian Landmark, in exchange for replacement lands of equivalent value in the Western Arctic Settlement Region that would be suitable to the Inuvialuit. In 2009, the Government of Canada and the Inuvialuit reached an agreement in the exchange of Crown land for the Pingo Canadian Landmark, as required under the Inuvialuit Final Agreement. The administrative steps to finalize the exchange are being completed.

In the IFA, a number of sites were identified in "Annex R" for which ownership to the land was transferred to the Inuvialuit, and for which Canada retained a "reserved" interest to allow for the continued use and eventual reclamation of the land. The release of the lands has not taken place as quickly as either Canada or the Inuvialuit would like, however progress has been made over the last several years.

One of the sites, the Kittigazuit Military site near Kittigazuit Bay between Inuvik and Tuktoyaktuk, was used as a long-range navigation site (LORAN) by the military. Full remediation of the site was funded by Canada and completed by Inuvialuit Projects Incorporated in 2005. The work was jointly inspected and approved to the satisfaction of all parties, and the site has been released to the Inuvialuit, as per the final agreement.

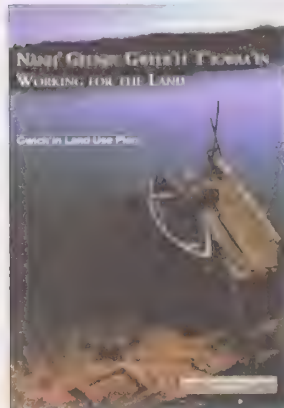
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Remediation of the Kittigazuit Military site was completed in 2005.

Gwich'in Lands

The Gwich'in Comprehensive Land Claim Agreement was signed in 1992. The Gwich'in own approximately 22,330 km² of land in the Northwest Territories, and 1,554 km² in the Yukon. The Gwich'in are currently negotiating a self-government Agreement Principle.



Gwich'in Land Use Plan

The CLCA calls for in Land Use Planning Board to be established, to develop a land use plan for the Gwich'in settlement area. The purpose of the plan is to avoid land use conflicts and negative impacts on people or the environment, while allowing opportunity for resource development.

The Land Use Planning Board was formed soon after the agreement was signed, and was officially established by the

Mackenzie Valley Resource Management Act in 1998.

The Planning Board developed a Land Use Plan for the Gwich'in Settlement Area that provides for the conservation, development and utilization of land, water and resources. The plan is particularly devoted to the needs of the Gwich'in, while considering the needs of all residents and other Canadians.

The plan took six years to develop. The Planning Board consulted extensively with Gwich'in communities and organizations, territorial and federal government departments, industry groups and environmental non-government organizations. The Plan is based on existing traditional and scientific knowledge about the region, and provides background information and establishes land use zones in the Settlement Area. The land use plan also identifies outstanding environmental issues and recommends actions to be taken by the appropriate agencies in addressing the issues.

Measuring Success - Evaluating Land Claims Implementation

The Government of Canada remains committed to strengthening the economic self-reliance of Aboriginal people through the successful implementation of land claims and self-government agreements, as well as national policy initiatives. To support this, a number of evaluations have been done to determine the status and effectiveness of implementation activities to date. INAC is working with other government departments to address specific concerns.

INAC Audit and Evaluation Report

An internal INAC audit and evaluation report, "Impact Evaluation of Comprehensive Land Claim Agreements," presented findings on the impacts of comprehensive land claim agreements (CLCAs) or modern treaties, and on the extent to which the objectives for the CLCAs have been achieved.

A number of recommendations were made and the department has already undertaken measures to address many of them. The evaluation concluded that the basic elements of the agreements are in place with land and financial transfers completed on schedule, and that

Agreements have:

- Brought clarity and certainty to the settlements areas in terms of land ownership issues and regulatory requirements for development.
- Contributed to a positive environment for investment
- Enabled Aboriginal groups to position themselves to take advantage of development.
- Positively impacted the role of Aboriginal people in the economy of the settlement areas and their relations with industry.

- Provided Aboriginal groups with a meaningful and effective voice in decision making on land and resource management.

Office of the Auditor General – 2007 Report Recommendations

In 2007 the Office of the Auditor General (OAG) released a report on the status of the implementation of the Inuvialuit Final Agreement. The OAG recommended that Canada improve in the area of land transfers, contracting and procurement activities, communication amongst federal government departments, and economic development opportunities. To date, INAC has made significant progress in the implementation of these recommendations, which has improved the relationship between Canada and the Inuvialuit.

Standing Committee on Public Accounts – 2009 Evaluation Report

The Standing Committee on Public Accounts (SCOPA) evaluation report presents findings on the impacts of comprehensive land claim agreements (CLCAs), and on the extent to which CLCA objectives have been achieved.

Overall, the evaluation report found that Canada has fulfilled the terms and objectives of the four Agreements it reviewed (the Inuvialuit Final Agreement, The Gwich'in CLCA, the Sahtu Dene and Metis CLCA, and the Northeaster Quebec Agreement with the Naskapi) with respect to the transfer of funds, rights to land recognized, and the establishment of management bodies as agreed to under the Agreements.

Where can you find more information?

All parties interested in and affected by land claims implementation—beneficiaries, governments and others—have a responsibility to get involved and informed on obligations and rights under Comprehensive Land Claim Agreements Canada's modern treaties. Here are some links to resources to get you started.

Comprehensive Land Agreements in the NWT

www.ainc-inac.gc.ca/ai/scr/nt/na/index-eng.asp

Claims and Agreements in the Northwest Territories

www.ainc-inac.gc.ca/al/lde/ccl/tagr/nwt-eng.asp

INAC Implementation Branch

www.ainc-inac.gc.ca/al/lde/ccl/ipt/index-eng.asp

819-994-6149

Comprehensive Land Agreements in the Northwest Territories

www.ainc-inac.gc.ca/ai/scr/nt/na/int/index-eng.asp

867-669-2602

Theho First Nation

www.tlcho.ca

867-392-3000

Inuvialuit Regional Corporation

www.irc.inuvialuit.com/

867-777-2737

Gwich'in Tribal Council

www.gwichin.nt.ca/

867-777-7900

Sahtu Secretariat

www.sahtu.ca/

867-589-4719

Government of the Northwest Territories

www.gov.nt.ca/

867-873-7500

Got something to tell us?

Here's who to contact:

INAC, Communications and Public Affairs

PO Box 1500, Yellowknife, NT X1A 2R3

Phone: (867) 669-2576

Fax: (867) 669 2715

Email: NTCommunications@inac-ainc.gc.ca

Our Vision

The NWT region of INAC is a respected partner in a strong and healthy Northwest Territories. We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in

Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document.

healthy ecosystems;

- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

On the Web

Government of Canada programs and services

www.gc.ca

INAC - NWT Region

www.inac.gc.ca

Youthbuzz on the NWT

nwt-tno.inac-ainc.gc.ca/yb/yb00eng.asp

Agreements

nwt-tno.inac-ainc.gc.ca/ai/nt/na/index-eng.asp

Plain Talk on the web

nwt-tno.inac-ainc.gc.ca/ai/nt/na/index-eng.asp

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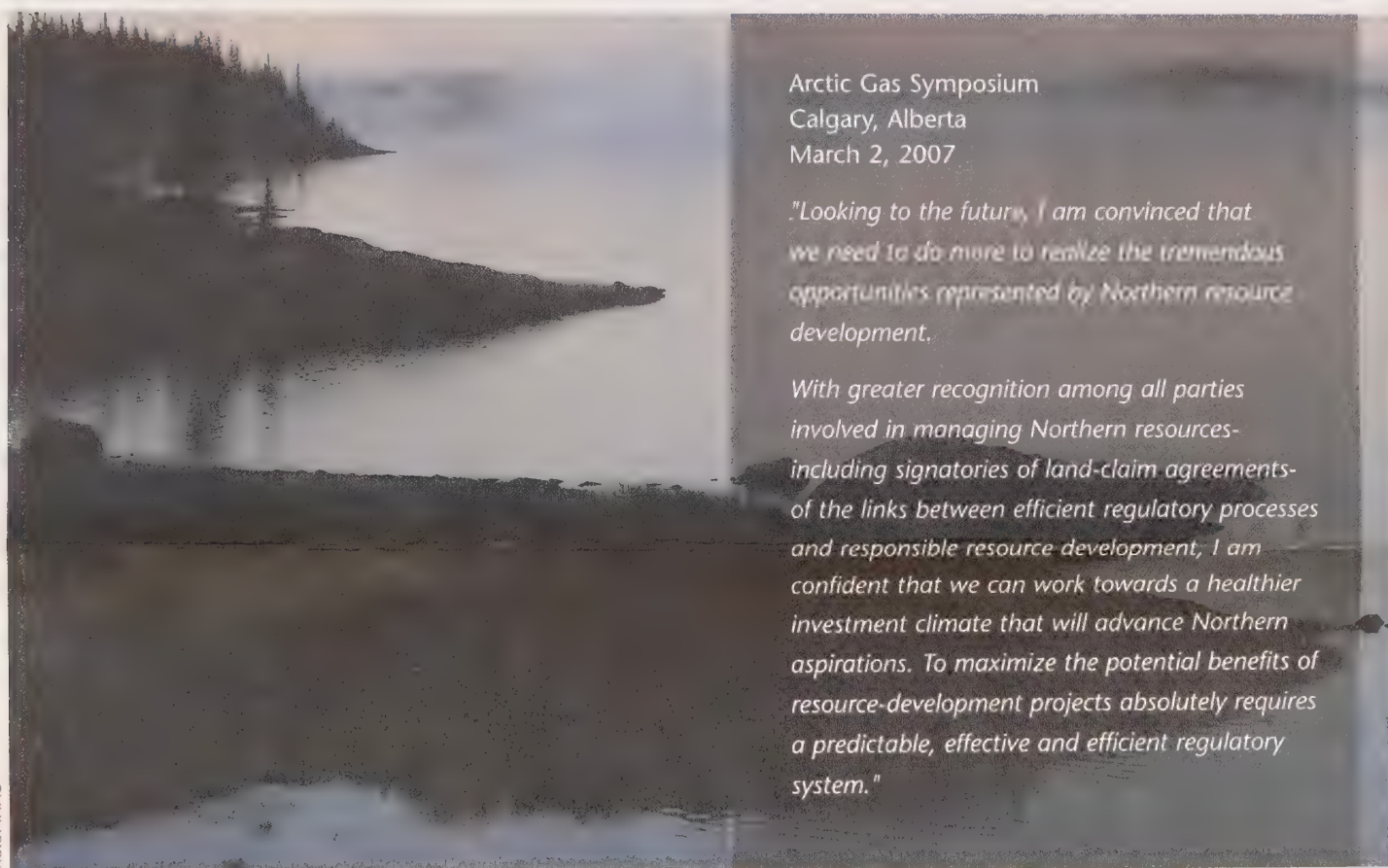
Spring 2007

NWT PlainTalk

*On Land and
Self-government*

Message from the Minister:

The Honourable Jim Prentice, PC, QC, MP Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-status Indians



Arctic Gas Symposium
Calgary, Alberta
March 2, 2007

"Looking to the future, I am convinced that we need to do more to realize the tremendous opportunities represented by Northern resource development."

With greater recognition among all parties involved in managing Northern resources—including signatories of land-claim agreements—of the links between efficient regulatory processes and responsible resource development, I am confident that we can work towards a healthier investment climate that will advance Northern aspirations. To maximize the potential benefits of resource-development projects absolutely requires a predictable, effective and efficient regulatory system."

In this issue...

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A New System for a Growing Territory



The land and resource management regime in the NWT is relatively new and continues to evolve.

The land and resource management regime in the NWT is a shared system with decision-making spread among many players, organizations and institutions. Both the federal and territorial governments, as well as Aboriginal people and other residents are stakeholders in this system, which has its origins in part in the settlement of land claims throughout the territory. Numerous federal resource management acts and regulations, such as the *Mackenzie Valley Resource Management Act*, the *Fisheries Act*, the *Canadian Environmental Assessment Act* and the *Northwest Territories Waters Act*,

as well as settled land claims (and interim measures in advance of the settlement of claims), define the regulatory regime.

The NWT land and resource management regime is relatively new and continues to evolve in tandem with the political and resource development landscape of the territory. As development pressures and opportunities grow, the regime has been tested by major projects, giving stakeholders the opportunity to identify areas for improvement in the complexity, efficiency and effectiveness.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Recommendations for Change

Recommendations for improvements to the regulatory regime have come from several sectors. The Office of the Auditor General, the *NWT Environmental Audit*, the *External Advisory Committee on Smart Regulations*, industry associations, and the co-management boards themselves have all expressed a desire for the regulatory regime to continue to grow into a more effective and efficient system.

In this issue of *Plain Talk*, you will learn about the recommendations made by the Auditor General, as well as what INAC is doing, along with other key players, to make the system work for the interests of all Canadians.

The Time is Right!



Photo: INAC

The NWT economy has grown by leaps and bounds over the last number of years. The rapidly growing role of the NWT in the national economy has been noticed. The Auditor General's report on the development of non-renewable resources in the NWT is testament to the success and vast potential of the territory. Given the degree of interest, and the current demand for natural resources, the time is right to address the way regulatory decisions are made, ensuring a modern and responsive system.

Ongoing review, evaluation and improvement are key elements of any successful system or program, and resource management regimes are no exception. The Auditor General's report is an important guidance document detailing what measures should be undertaken to ensure the system operates efficiently and effectively.

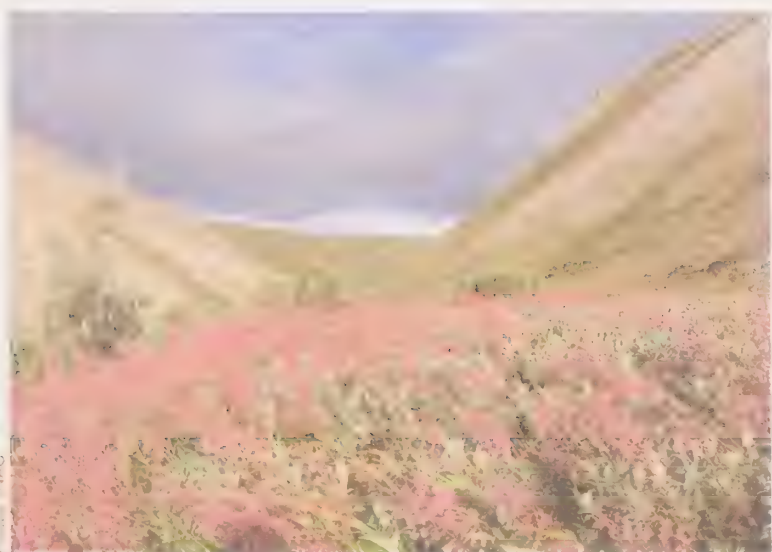


Photo: INAC

The time is right to address the way regulatory decisions are made.



The Auditor General's Report

The Office of the Auditor General released a report in April of 2005 on the development of non-renewable resources in the NWT. The report is an important means to assist improvements to the management of natural resources in the North. The audit looked at the process which was established by the *Mackenzie Valley Resource Management Act* (MVRMA), and focused largely on INAC's

responsibilities in the process, beginning with the application for a land permit and or a water licence and ending with the decision on the application. The audit was conducted through interviews with key stakeholders, including representatives from industry, the Government of the Northwest Territories and Aboriginal groups.

Taking Action



Mackenzie Valley is vast and includes much of the territory.

The Auditor General's Report identified 10 areas for improvement where INAC could strengthen its role in the development of non-renewable resources in the NWT. The objective of the report was to determine how well the federal government had managed its responsibilities associated with the development of non-renewable resources in the Northwest Territories.

An action plan is in full swing to address recommendations raised by the Office of the Auditor General and improve the way INAC works with both Mackenzie Valley and Inuvialuit Boards, other land claim and self-government signatories and interested parties towards responsible economic development within a sound environmental management framework.

What is the NWT Board Forum?

The NWT Board Forum is a way for regulatory boards in the Northwest Territories to meet and share information on important issues concerning the management of land and water resources. The Forum meets twice a year to present information on various issues of common interest. It has been identified as an effective means of addressing the recommendations presented in the Auditor General's report such as training and strategic planning initiatives. The forum is made up of the Chairs of the:

- NWT regulatory boards created under the MVRMA (see above)
- NWT co-management bodies under the Inuvialuit Final Agreement
- Inuvialuit Environmental Impact Screening Committee
- Inuvialuit Environmental Impact Review Board
- Inuvialuit Game Council
- NWT Water Board
- National Energy Board

And the:

- Associate Regional Director General of INAC NWT Region
- Deputy Minister for Environment and Natural Resources of the Government of the Northwest Territories

The Plan



At the recent meeting of the Board Forum in Behchokò in November 2006, regulatory boards met to share information on issues concerning the management of land and water resources.

Some of the issues identified by the Auditor General included the need for consistent performance standards; the need for INAC to become more involved in managing its role in the resource management process; the need to improve the capacity of resource management boards; and the need to clarify the roles and responsibilities of all parties. It was also reported that guidelines should be developed for clarifying key terms in legislation. The Mackenzie Valley Environmental Impact Review Board took the lead on this initiative in consultation with INAC and has developed a reference bulletin on the key terms of the *Mackenzie Valley Resource Management Act*.

The Auditor General recommended that INAC work with the boards to improve the way they plan and

report, thus building strength and capability. This is being achieved by supporting opportunities for the boards to identify their organizational objectives, including reflection on their mandate, vision and mission.

The report also recommended that INAC should work with the boards to identify and share best practices, to assess training needs and provide for those needs where appropriate. Boards of the NWT cooperatively established the NWT Board Forum, which has been an important resource for addressing several of the key recommendations. Learning tools are being generated for new board members to become familiar with their roles. INAC has worked with the members of the NWT Board Forum to complete three learning resources: *Best*

Practices for Institutions of Public Governance; NWT Boards Training Needs Assessment and Key Considerations for the Development of an Orientation Manual; and the General Orientation Binder for NWT Board Members. To share best practices, board chairpersons and executive directors representing various boards formed the Northern Boards Training Initiative Steering Committee and developed a proposal for submission to INAC.

These ongoing and shared initiatives, in addition to new ideas, will improve the clarity and certainty for project proponents. They will better equip the NWT to develop its resources in a sustainable and efficient way.

What is the Mackenzie Valley Resource Management Act?

The (*Mackenzie Valley Resource Management Act MVRMA*) is federal legislation that implements the Gwich'in and Sahtu land claims and was amended when the Tłıchǫ land claim was finalized. The *MVRMA* creates an integrated co-management structure for public lands and waters throughout the Mackenzie Valley. The Act establishes public boards to regulate the use of land and water, to prepare regional land use plans and to carry out environmental assessments of proposed projects. The Act also makes provisions for monitoring cumulative impacts on the environment and calls for periodic, independent environmental audits. The Mackenzie Valley includes all of the NWT, with the exception of the Inuvialuit Settlement Region, and the Wood Buffalo National Park.

To learn more about the NWT regulatory process as described in the *MVRMA*, please refer to *The Mackenzie Valley Resource Management Act – A Citizen's Guide*. The guide is available online at www.inac.gc.ca or call (867) 669-2576 to obtain a paper copy.

Where does the northern regulatory regime fit into the approvals needed for the proposed Mackenzie Gas Project?

Each board will determine how and when it will undertake application reviews for the Mackenzie Gas Project (MGP). To coordinate activities and avoid duplication, the boards signed the *Agreement for Coordination of the Regulatory Review of the Mackenzie Gas Project* in April 2004. A regulatory coordinating body has been established to undertake the work involved – the Regulatory Steering Committee. The Northern Gas Project Secretariat provides support for the Steering Committee.

The primary goal of the Regulatory Steering Committee is to fulfill the objectives of the regulators' agreement to achieve coordination, efficiencies and timeliness in regulatory processes for the MGP.

Which boards is the Auditor General referring to in her report?

The Auditor General's report deals with all regulatory boards that operate under the *Mackenzie Valley Resource Management Act*. Those boards are:

- Gwich'in Land Use Planning Board
- Gwich'in Land and Water Board
- Mackenzie Valley Environmental Impact Review Board
- Mackenzie Valley Land & Water Board
- Sahtu Land & Water Board
- Sahtu Land Use Planning Board
- Wek'èezhi Land & Water Board

Where can I get a copy of the Auditor General's report and a copy of INAC's official response?

The Auditor General's report and the Department's official response are available on the Auditor General of Canada web site: <http://www.oag-bvg.gc.ca/>

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below.

On the Web

Government of Canada programs and services
Government of Canada site:
www.gc.ca

INAC
Northwest Territories Region site:
nwt.inac.gc.ca

Youthbuzz on the NWT:
nwt.inac.gc.ca/Youthbuzz

Agreements
Indian and Northern Affairs Canada site:
inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web
Indian and Northern Affairs Canada site:
nwt.inac.gc.ca/pt_e.htm

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- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

Got something to tell us?

Here's who to contact:

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NWT PlainTalk

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On Land and
Self-government



Akaiicho Interim Land Withdrawals: Making space to negotiate

Imagine for a moment you are a First Nation negotiating a land, resources and governance agreement with the federal and territorial governments; a process that can take many years to complete. Imagine how frustrating it might be to watch the land and resources you might want in your agreement being leased, sold or developed while you negotiate.

Now, imagine you are with a small mining company looking to stake mineral claims in an area that is also the traditional territory of this same First Nation. You know it is probably more acceptable for you to stake in some areas than others, but without concrete information, you aren't sure where to focus your efforts.

In both these scenarios, a process called "Interim Land Withdrawals" can provide reassurance and clarity in the short-term and help make progress towards the longer-term certainty that will come with an agreement that covers land, resources and governance.

When lands are temporarily protected through an Interim Land Withdrawal in the Northwest Territories, the governments of Canada and the NWT formally ensure that no further land dispositions, such as land sales or leases, are permitted in the identified areas for a specified period of time. This is an important step in negotiations because it allows the parties to focus on reaching an overall agreement while having the assurance that lands remain available to include in that agreement.

The latest negotiation to undertake this process of interim land withdrawal is the one involving the Akaiicho Dene First Nations. The Akaiicho Dene First Nations represent Dene from around Great Slave Lake (known to the



Photo: Tessa Macintosh

The long-term goal of the negotiations between the Akaiicho Dene First Nations, the Government of Canada and the Government of the NWT is an Akaiicho Agreement that lays out new arrangements for land, resources and governance in the Akaiicho's traditional territory. In the meantime, Interim Land Withdrawals give the parties reassurance that certain areas of lands are protected while negotiations continue.

Akaiicho as *Tu Cho*), including the communities of Deninu Kue (Fort Resolution); Lutsel K'e, Ndilo and Dettah. They signed a Framework Agreement with the Government of Canada and the Government of the Northwest Territories on July 25, 2000, one hundred years after the making of treaty. An Interim Measures Agreement was signed in 2001. They have been working on an Agreement-in-Principle since that time.

Recognizing that dealing with land dispositions on a case-by-case basis as they came up was distracting from their

Agreement-in-Principle negotiations, the three parties decided that they wanted to put interim land withdrawals in place. On November 21, 2005 they signed a Protocol to guide this process.

The Akaiicho, the Government of Canada and the Government of the NWT each have a role to play in determining which lands will be withdrawn. Each has brought its interests to the table and they are now negotiating withdrawal packages for

continued on page 2

- In this Issue...
- Akaiicho Interim Land Withdrawals
- NWT Boards Share Land, Water, and Resource Information
- Profiles: Rick Bennett, Bob Simpson
- Translating Northern Development: Yellowknife Youth Forum on the Mackenzie Gas Project
- On the Web
- Our Vision
- Got something to tell us?



The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.



NWT Boards Share Land, Water, and Resource Information

How important is “information sharing” to you? Have you ever been a part of a group that has benefited from discussions with other like-minded organizations? Here in the Northwest Territories, members from the various resource co-management/public boards do just that. The NWT Board Forum provides a way for boards to discuss important issues affecting their land, water and resources. The NWT Board Forum is made up of the Chairs of the:

- NWT resource management and environment assessment boards created under the *Mackenzie Valley Resource Management Act* (MVRMA);
- NWT co-management boards under the Inuvialuit Final Agreement (IFA);
- *NWT Waters Act* (NWTWA);
- Associate Regional Director General of DIAND NWT Region;
- Deputy Minister for Environment and Natural Resources of the Government of the Northwest Territories, and;
- National Energy Board.

As land claims are settled, new co-management boards/institutions of public government are added.

Members of the NWT Board Forum meet annually to share information with one another on various resource and environmental issues of common interest. The purpose of the *NWT Board Forum* meetings is to give the various boards a chance to learn from one another about resource management issues, and to discuss new initiatives that Boards and/or government are undertaking to support the regulatory system in the NWT. When all of the boards share information with each other and learn new ways to strategize and plan, each board is better equipped to make decisions and plan the future of their land and resources.

A collaborative approach across boards also cuts down on some of the costs of resource management. By sharing certain initiatives, human resources, technology and



Photo: DIAND

The Gwich'in Land and Water Board hosted the October 2005 NWT Board Forum meeting in Inuvik. The next NWT Board Forum meeting is scheduled for the spring of 2006.

training and developmental opportunities, individual boards can cut down on the amount of time they spend on one particular issue.

The NWT Board Forum has been meeting since April 2004. The Board Forum's third meeting was held in October, 2005, and some highlights of this Forum include the following:

- The Mackenzie Valley Environmental Review Board announced that the Traditional Knowledge Guidelines were published and available. These guidelines provide advice on how to incorporate Traditional Knowledge into the Environmental Assessment process, and they are intended for practitioners and developers.

- DIAND's Acting Director of Mineral and Petroleum Development Directorate, Malcolm Robb, provided a forecast of the NWT's resource development for oil and gas and minerals to all the boards. Robb explained the trends and development patterns over the next few years with examples of the prospecting permits and exploration information.

The next NWT Board Forum meeting will be held this spring.

continued from page 1



Photo: Tessa Macintosh

The Akaitcho Dene First Nations represent Dene from around Great Slave Lake (Tu Cho), including the communities of Deninu Kue (Fort Resolution); Lutsel K'e, Ndilo and Dettah

Crown lands (federal) and Commissioner's lands (territorial). Once these negotiations are complete, the Government of Canada and the Government of the NWT will take steps to formally withdraw the lands from further land sales, leases or other dispositions for a period of five years. Once the withdrawals are official, they will be made public.

Activities on lands that are not withdrawn will continue to be guided by current legislation and regulations, as well as any Interim Measures Agreements that apply in that area.

Though no new dispositions will be permitted on the withdrawn lands from that point on, any existing interests at the date of withdrawal will not be affected. This includes lands held in fee simple, rights-of-way and easements, licences and permits, recorded mineral claims and leases.

Profile: Rick Bennett

Chief Negotiator for the Gwich'in Tribal Council



Photo: DIAND

Rick Bennett is happy to be back in the Beaufort-Delta region of the Northwest Territories after being away for a dozen years. Rick was recently appointed as the Chief Self-Government

Negotiator for the Gwich'in Tribal Council in November 2005.

Rick looks forward to working quickly towards a Final Self-Government Agreement with the Gwich'in First Nations. "Sometimes," he says, "when there is a sense of urgency to things, then you can get some momentum and then progress can happen fairly quickly. For example, with the possibility of a pipeline being built in the Beaufort-Delta region, I think it would be important to see the Final Agreement and the Gwich'in government in place before that development begins."

Rick notes that a lot of groundwork has been done on self-government, and that Karen Snowshoe and others in the Gwich'in Tribal Council Self-Government program have been doing a good deal of community consultation over the last 18 months in the four Gwich'in communities.

Rick has worked with a variety of Aboriginal groups in a number of different careers since 1985. In the 1980s and early 1990s, Rick was a band manager at two British Columbia reserves: Skeetchestn and Bonaparte (both in the Kamloops, BC area). In between these two positions, Rick lived in Inuvik for two years working for the Government of the Northwest Territories Department of Municipal and Community Affairs. That experience allowed him to travel to most of the communities in the Beaufort-Delta, and Rick said it gave him a good grounding in the realities of what community government is all about.

In 1996, Aboriginal law sparked Rick's interest and he went back to university to become a lawyer. After university, Rick practised law for three years in Vancouver before moving to Yellowknife to work

with the Government of the Northwest Territories as an assistant negotiator on the Métis and also Akaitcho land claim and self-government tables.

With Rick's new job, he believes his biggest challenge will be working with the other negotiators to arrive at a structure of government in the Beaufort-Delta that provides a new sense of balance between the new Gwich'in government and the territorial and federal governments.

Rick is originally from Vancouver. When Rick isn't working, he enjoys travelling, reading good literature, creative writing and playing guitar.

Profile: Bob Simpson

Chief Negotiator for the Inuvialuit Regional Corporation



Photo: DIAND

Bob Simpson has made the Northwest Territories his home for over 30 years. Right out of high school, Bob travelled from his home town of Comox, BC, to Yellowknife for work. Thirty-five years later, Bob

still hasn't left the North, and he has an abundance of Northern work experience.

While living in a variety of NWT communities (Yellowknife, Inuvik, Fort McPherson, Tsiigehtchic and Sachs Harbour), Bob has worked in several small business operations, as a community and Aboriginal government administrator, as a land claim and self-government negotiator, and also as a resource management consultant.

Last year, Bob Simpson was appointed as the Chief Self-Government Negotiator for the Inuvialuit Regional Corporation. He has worked on the Beaufort-Delta Self-Government file for almost 10 years as Chief Negotiator for both the Inuvialuit and the Gwich'in and he dedicates his time

towards extensive community consultations, community development and capacity building.

Bob's interest in the negotiation of Aboriginal rights agreements goes back to the early 1980s. He was involved in creating the Gwich'in Tribal Council and the negotiation of an overlap agreement with the Inuvialuit and the preparation of documentation of the Gwich'in's Land Use and Occupancy. In 1982, he was involved in the negotiation of the Basis of Agreement for Land Use Planning in the Northwest Territories. As a result of those negotiations, the Beaufort-Delta Land Use Planning Commission was established, and then Bob took part in the preparation of the land use plan in his capacity as Executive Director for the Tribal Council.

Working at a territorial level Bob assisted in the development of resource management systems for the Dene/Métis Negotiation Secretariat during devolution and land claim negotiations, and as a Gwich'in representative to the health devolution process. As a negotiator for the Gwich'in Tribal Council, Bob's primary responsibilities were the resource management, implementation and self-government provisions of the Gwich'in Comprehensive Land Claim Agreement. After the completion of the Gwich'in Agreement he was instrumental in the establishment of public

co-management boards and the drafting of the *Mackenzie Valley Resource Management Act*. In addition, Bob served on the Constitutional Development Working Group drafting of a constitution for the Northwest Territories prior to division.

Bob Simpson currently resides in Inuvik, and when he isn't working on self-government, he is busy as the acting Regional Co-ordinator for the Beaufort-Delta Regional Council. Bob also continues to participate in devolution and resource revenue sharing after he served as the Lead Negotiator for the Aboriginal Summit.

Translating Northern Development: Yellowknife Youth Forum on the Mackenzie Gas Project

This past winter, 23 high school students from various communities across the Northwest Territories came to Yellowknife for a week-long Youth Forum on the Mackenzie Gas Project. The Forum gave students the opportunity to learn more about the project through various speakers, by asking questions, and by job shadowing with different government departments and agencies that are involved with the project.

Two students, Ernestine Champlain from Wha Ti and Paul Kinard from Inuvik, were paired up with DIAND to learn more about how the Department is involved in the Mackenzie Gas Project. The students spent two days with staff from DIAND's Pipeline Readiness Office, and gathered information to take back to their schools, family and communities.

Many people in the North speak Aboriginal languages, and some older community members count on translators to explain important issues to them. For example, Ernestine Champlain speaks three languages (an older form of Dogrib, a modern version of Dogrib, and English); however, her parents do not speak much English. Ernestine said that attending conferences like the Youth Forum is an important way for her to keep up-to-date with the project, so that she can then go back to her home and translate all of the new information to her parents.



Ernestine Champlain (Wha Ti Mezi Community School) and Paul Kinard (Inuvik Samuel Hearne Secondary School) were chosen for the Youth Forum by their high school teachers.

Photo: DIAND

Having important information available for people in Aboriginal languages, is a very important part of doing business in the North. With all of the new Northern development and changes, providing translated information to Aboriginal communities keeps the communities involved in those changes. And it is very important that youth are involved in those changes too!

The Youth Forum gave NWT youth a chance to be involved in the Mackenzie Gas Project, and to meet some of the faces behind the big names. Paul Kinard commented, "I thought the conference was very well organized. I'm glad I was able to be part of it. The highlight of the conference for me, was when Stephen Kakfwi came and sang a couple of his songs for us. That was amazing."

On the Web

Government of Canada programs and services
Government of Canada site:
www.gc.ca

DIAND
Northwest Territories Region site:
nwt.inac.gc.ca

Youthbuzz on the NWT:
nwt.inac.gc.ca/Youthbuzz

Agreements
Indian and Northern Affairs Canada site:
inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web
Indian and Northern Affairs Canada site:
nwt.inac.gc.ca/pt_e.htm

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

Got something to tell us?

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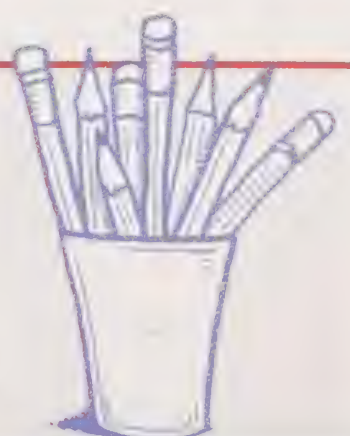
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Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord Canada

Fall 2005

NWT PlainTalk

On Land and
Self-government

Photo: Fran Hurcomb

After a week-long canoe voyage, Tłıchǫ Citizens from Wekweti, Gameti and Wha Ti arrived at the community of Behchok'ǫ on August 2nd, 2005 and participated in the four-day celebration of the New Tłıchǫ Government.

Recognition Day for the New Tłıchǫ Government

August 4th, 2005 marked the beginning of the new Tłıchǫ Government, and the conclusions of business of the Dogrib Treaty 11 Council which had led the Tłıchǫ people through the negotiations over the past 14 years.

To honour and celebrate the Tłıchǫ Government effective date, more than 50 canoes travelled from Wha Ti, Gameti and Wekweti to the community of Behchok'ǫ (formerly Rae-Edzo). As the Tłıchǫ paddlers pulled up on the shores of Marian

Lake after a week-long voyage, they were greeted by a cheering crowd and the traditional firing of rifles toward the sky. Festivities began immediately with musicians performing and a few friendly competitions of log-sawing, wood cutting, and tea-boiling.

On the evening of August 3, there was a feast and drum dance leading up to the highly anticipated countdown to midnight. As the clock struck twelve



Photo: Fran Hurcomb

Behchok'ǫ youth, Kat Martin, waves her flag with pride and excitement

and the calendar flipped to August 4th - the official start of the Tłıchǫ Government - fireworks exploded into the warm night sky over the heads of hundreds of revellers. It was a time for

continued on page 2



Crier Charlie Jim Nitsiza of Wha Ti and NWT Commissioner, Tony Whitford, at the August 4th Tłıchǫ ceremonies.

The New Government

Plain Talk celebrates the important Tłıchǫ Day



Tłıchǫ Elders were part of the historical moment. Standing: Edna Enemu and Joe Rabesca. Sitting: Michel Louis Robillard and Edward WahShee.



Elizabeth Mackenzie (left) and Wah Shee.

continued from page 1

celebration of past work and reflection on the opportunity ahead.

The Tłıchǫ Community Government Members were sworn-in on the morning of August 4th, followed by an opening prayer and remarks, and the official closing of the Dogrib Treaty 11 Council 14th Annual Gathering.

Ceremonies continued in the afternoon with the swearing-in of the Tłıchǫ Assembly Members by Father Pochat. Then the Assembly passed the first Tłıchǫ laws (Tłıchǫ Omnibus Implementation Law and Tłıchǫ Income Tax Law), approved the Tłıchǫ Government Starter Budget, and heard a statement by Grand Chief Joe Rabesca and remarks by Tłıchǫ Assembly Members.

Tłıchǫ Citizens, guests and well wishers continued outside to watch with excitement as the new Tłıchǫ flag was hoisted into the air. Among the honoured guests were: Minister of State for Northern Affairs-Ethel Blondin-Andrew, President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lucienne Robillard, and Parliamentary Secretary, Sue Barnes.

James WahShee, former negotiator and designer of the flag, explained the symbols of the flag to the crowd. The royal blue represents the sub-Arctic territory of the Tłıchǫ; the four tepees represent the Tłıchǫ communities, the North Star represents direction and a new era for the Tłıchǫ people; and the sun and river represent the words of Chief Monfwi who signed Treaty 11 in 1921.

Tłıchǫ voters went to the polls on September 1st and elected the Tłıchǫ government's first Grand Chief, George Mackenzie.



Therese Mantla holds the microphone for the Tłıchǫ youth from Behchok'ǫ's Elizabeth Mackenzie Elementary School.

What Happens Now? Tłıchǫ Agreement in Effect

As of August 4, 2005, the Tłıchǫ have the powers and resources to govern themselves, strengthen their economy, and to protect culture, language, heritage, lands and resources. The Tłıchǫ Agreement will encourage economic investment and partnerships in their territory, and pave the way for new jobs and educational opportunities.

The new Tłıchǫ Government will be able to make decisions that directly affect to the well being of Tłıchǫ communities and culture, and allow the Tłıchǫ to design and manage programs, along with agreements with the territorial and federal governments, that respect and promote the Tłıchǫ way of life. The Agreement also guarantees Tłıchǫ representation in new Tłıchǫ community public governments to ensure their interests

and culture are reflected over time and as the population mix changes.

For the next ten years, programs and services in the Tłıchǫ communities will be a joint effort between the Tłıchǫ, the GNWT and the Government of Canada. An Intergovernmental Services Agreement among the Tłıchǫ, the GNWT and the Government of Canada has been put in place so that the administration and delivery of key programs and services such as health care, education and other social programs and services in each of the four Tłıchǫ communities will be a team effort. These programs and services will be delivered in a way that respects Tłıchǫ heritage and culture, as well as the interests of residents who are not Tłıchǫ citizens.



Rose Fish cooks caribou for the celebration feast.



Wha Ti Tłıchǫ Citizens. From left to right: Jimmy Rabesca, Georgie Nitsiza, Mike Nitsiza, Alphonz Nitsiza, Albert Nitsiza, Michel Moosenose, Alfred Beaverho and Phillip Rabesca (translator from Behchok'ǫ) and NWT Commissioner, Tony Whitford.



The royal blue represents the sub-Arctic territory of the Tłıchǫ; the four tepees represent the Tłıchǫ communities, the North Star represents direction and a new era for the Tłıchǫ people; and the sun and river represent the words of Chief Monfwi who signed Treaty 11 in 1921.



Elizabeth MacKenzie speaks before the raising of the flag ceremony.



Two Elders, Marie and Alphonse Quitte of Gameti, enjoy the ceremonies.

The feast included caribou and fish, cooked by Rosa Fish, Mary Adele Mantla, and Lena Drybones. Helping themselves to fish are Louis Flunkie and Norman Mackenzie.

Tłıchǫ Wek'èezhìi Boards in Operation

As land claims and self-government negotiations with Aboriginal people are finalized in the remaining regions of the NWT, additional boards are created. For example, on August 4th the Tłıchǫ Agreement came into effect and the Wek'èezhìi Land and Water Board and Wek'èezhìi Renewable Resource Board were created as a result of the Agreement.

What does the Wek'èezhìi Land and Water Board do?

Although the Wek'èezhìi Land and Water Board is established, it will not have the authority to review applications until February 4, 2006. This six months allows the newly appointed Board members time to begin establishing policies, hiring staff and setting up office operations. After February 4, 2006 the Board will regulate land and water use in an area in the North Slave called Wek'èezhìi. This board is similar to the boards that were established in the Gwich'in and Sahtu areas. The Wek'èezhìi Land and Water Board makes up one portion of the Mackenzie Valley Land and Water Board. As a whole, the Mackenzie Valley Land and Water Board issues water licences and land use permits in all the different regions of the Mackenzie Valley.

What does the Wek'èezhìi Renewable Resource Board do?

The Wek'èezhìi Renewable Resources Board supervises the management of wildlife and habitat in the Wek'èezhìi area. The Board makes recommendations about wildlife, forest and plant resources, as well as commercial harvesting activities.

Both Boards are currently in the process of appointing board members and then will begin making decisions about hiring staff, office operations and office location.

What does "Wek'èezhìi" mean?

When Tłıchǫ Chief Monfwi signed Treaty 11 at Behchok'ǫ (formerly Rae-Edzo) on August 22, 1921, he described the traditional area of the Tłıchǫ First Nation as "Mohwi Gogha De Niitlee." Over the years, the Tłıchǫ continue to use this traditional area, however, a new portion of land inside the Mohwi Gogha De Niitlee has been identified and is called "Wek'èezhìi." "Wek'èezhìi" means "within the area." Wek'èezhìi is the management area over which the Wekeezhii Renewable Resources Board and the Wek'èezhii Land and Water Board have authority.

Wek'èezhii is bounded on the northeast by Nunavut; on the northwest by the Sahtu settlement area; on the southwest by a line agreed to between the Tłıchǫ and the Deh Cho in an overlap agreement; and on the southeast by a line agreed between the Tłıchǫ and the Akaitcho Dene in an overlap agreement.

New Direction for Beaufort-Delta Community Consultation

The Gwich'in Tribal Council and the Inuvialuit Regional Corporation have recently reexamined their work and resources, and have decided to focus more of their self-government negotiation time and money towards the communities. Both organizations agree that the negotiations and day-to-day work need to happen in the communities at the "grass roots" level, and the extra costs of a main office in Inuvik are not necessary. As a result, the Beaufort-Delta

Self-government Office in Inuvik closed at the end of August.

As of September 1, 2005, the Gwich'in and Inuvialuit self-government teams will be working out the Gwich'in Tribal Council Office and the Inuvialuit Regional Corporation Office. This will focus self-government negotiations into the communities, particularly to focus on developing constitutions that will define and shape the future governments.

Presenting to Youth on Tomorrow's Self Government

by Senwung Luk

Every Canadian knows that Canada is the second biggest country in the world...however, very few southern Canadians ever get to experience how big the country really is - they never get to see the full majesty of a northern sunset or the comforting quiet of a walk in the Arctic snow. This past winter, fortune smiled on two law students from Toronto's Osgoode Hall Law School of York University (myself and Maggie Farrington) as we were allowed to travel to one of the most unique places in Canada - the Beaufort-Delta.

As part of an Intensive Program in Aboriginal Law, two law students came up to Inuvik to work with the Gwich'in Tribal Council and the Beaufort-Delta Self-government Office for seven weeks. As part of our work for the Gwich'in Tribal Council, we presented on self-government to schools in Fort McPherson, Tsiigehtchic, Inuvik and Aklavik. We focused on the idea that the youth of today would become the owners of tomorrow's self-government. We went through several interactive exercises with the students to explore the idea of making decisions as a community: what does it mean to have authority to govern? And what's the best way of using that authority? What's the best way to make a decision together?



After a presentation on self-government, students from Fort McPherson's Chief Julius School pose with one of the self-government presenters. Tara Greenland, Shayla Snowshoe, Maggie Farrington (law student/presenter), and Charmaine Wilson.

Photo: Senwung Luk

We were very grateful for the warm welcome we received in the schools. We were very lucky to get a chance to experience the singular grandeur of the North, and more than that, to be present at the re-birth of self-government for the Gwich'in

and the Inuvialuit was a truly priceless experience. We hope that we made a positive contribution, however small, to helping Northerners and Aboriginal people reshape their communities.

What is "Community Consultation"?

As part of the self-government negotiations, northern communities are involved in a "consultation" process that keeps them updated on what self-government means to them and their community. All three parties negotiating the self-government agreement are involved in the consultation - the federal government (DIAND), the territorial government (GNWT), and the Aboriginal group - and it gives community members a chance to ask numerous questions in a one-on-one setting.

Consultations can be done in many forms: in-house visits from the communities' local self-government field officer, community presentations or meetings, radio call-in shows, or even a coffee or tea at the nearby café.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below.

Got something to tell us?

Here's who to contact:

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www.nwt-tno.inac-ainc.gc.ca

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- northern control over northern resources;
- responsive and accountable northern government as partners; and national initiatives that reflect the interests of all Northerners.

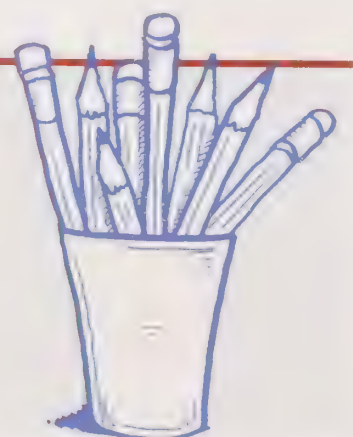
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NWT PlainTalk

On Land and
Self-government

DENENDEH Land of the People



Hundreds of people gathered along the banks of the Yellowknife River to feast and feed the fire as they opened the Assembly of First Nations Annual General Assembly. Top Left: Alfred Baillargeon; Top Right: Patrick Charlo, Albert Boucher, Yellowknives Dene First Nation (Dettah) Chief Peter Liske, Judy Charlo, Mark Cassway, and Elise Liske; Bottom Right: Clifford Sangris, Eddie Sangris and Peter Crookedhand.

Denendeh, the Dene word meaning "Land of the People", was the 2005 Assembly's theme.



Photos: David Gilbert, RCMP "G" Division

This past summer, the 26th Assembly of First Nations (AFN) Annual General Assembly was held in Yellowknife (Sòmbak'è). The Assembly of First Nations National Office, the Dene Nations, the Akaitcho Government and the Assembly of First Nations NWT Regional Office hosted the Assembly for five days, and approximately 2,000 people attended.

Events began on the evening of Monday, July 4th, with an Assembly Feast, drum dance and Dene hand games tournament at the Yellowknife River. Meetings began the following morning with an opening prayer, welcoming remarks from a variety of NWT Chiefs and politicians, and an opening address from AFN National Chief, Phil Fontaine. Topics for discussion covered a wide range of important issues: climate change, residential schools, economic development, citizenship and more.

The AFN Trade Show took place in Sir John Franklin High School foyer and gymnasium. The Trade Show was an excellent opportunity for Aboriginal and Non-Aboriginal organizations, businesses and governments to meet and talk to one another about the future of Aboriginal business and investment.

The meetings wrapped up late afternoon on Thursday, July 7, with a traditional tea dance.



First Nations youth are represented at the Assembly as participants in meetings, as employees and through the AFN Youth Council. The AFN Youth Council is a formal structure within the AFN composed of First Nations youth between the ages of 16 and 29 years old living on- and off-reserve. Each region selects two representatives for the Youth Council, one male and one female. Youth Council members also attend all AFN Assemblies and Confederation.



Photos: David Gilbert, RCMP "G" Division

Commemorative Dates

Plain Talk celebrates the important history of Aboriginal People



This issue of Plain Talk celebrates the commemorative dates for Aboriginal people in the Northwest Territories and Aboriginal people all over Canada. From the historical Constitution Act, 1982 to the recent implementation of the Tlicho Agreement, this issue reflects on important dates that have enhanced the life of Aboriginal people and paved the way for successful land claim and self-government negotiations.

Two Yellowknife Elders, Tom Eagle and Michel Paper, address the 2005 Assembly of First Nations.

1975, 1978

The *James Bay and Northern Quebec Agreement* (JBNQA) and the *Northeastern Quebec Agreement* (NEQA) are Canada's first modern land claim settlements. Signed in 1975 and 1978, they fulfil a commitment to deal with land issues dating back to the late 1800s.

1982

National Indian Brotherhood (now the Assembly of First Nations) calls for the creation of June 21 as National Aboriginal Solidarity Day.

Constitution Act, 1982, including section 35, recognizes and affirms Aboriginal and Treaty rights.

1984

In 1984, the Inuvialuit settled the first comprehensive land claim in the Northwest Territories. The Inuvialuit Final Agreement stipulates that the Inuvialuit continue to have surface ownership rights to 90,650 square kilometres of land as well as certain subsurface rights to another 12,950 square kilometres of land.

and requested regional settlements. In November 1990, the Government of Canada discontinued negotiation of the Dene/Métis claim and authorized the negotiation of separate regional settlements with any of the five Dene and Métis regions that requested it.

1992

The Gwich'in of the Mackenzie Delta Region were the first Dene and Métis group to negotiate a regional comprehensive claim. Their final agreement was signed on April 22, 1992, and came into effect in December 1992.

In 1992 the Government of Canada, with input from the provinces, drafted the *Charlottetown Accord*. This new proposed amendment to the constitution included special status for Québec, and it provided for Aboriginal self-government after negotiations with the federal government. The *Charlottetown Accord* was presented to Canadians in a national referendum in October 1992 and Canadians rejected it.

The Constitution Act, 1982

A constitution is the basic rules or laws by which a nation, people or group organize and govern themselves. In Canada, the Constitution is described as "the supreme law of Canada".

Section 35 (s.35) of the *Constitution Act, 1982* has a profound affect on the lives of Aboriginal peoples:

- existing Aboriginal and Treaty rights are recognized and affirmed;
- Aboriginal people are defined as Indian, Inuit and Métis people of Canada;
- Treaty rights include rights that exist by way of land claims or agreements that may be acquired through future agreements;
- Aboriginal and Treaty rights are guaranteed equally to men and women; and
- the federal, provincial and territorial governments are committed to include representatives of Aboriginal people in future constitutional discussions that directly affect them.

Canada has made building partnerships with Aboriginal people a top priority. Even though the *Constitution Act, 1982* recognizes and protects Aboriginal and Treaty rights, in some cases, not all of the rights are understood or agreed upon by Aboriginal people. Strong partnerships and relationships between governments and Aboriginal people will improve understanding and communication during negotiations, and will quicken the pace of self-government. Self-government and land claim agreements provide Aboriginal Peoples with the power and resources to be more effective partners in addressing the socioeconomic conditions and needs of their communities.

1990

In 1976 and 1977, the Government of Canada accepted comprehensive claims from the Dene and Métis of the Mackenzie Valley in the NWT. Negotiation of a joint Dene/Métis claim began in 1981. An agreement was initialed by negotiators in April 1990. In July 1990, the Dene and Métis at their assemblies voted not to proceed with ratification of the agreement. The Gwich'in and Sahtu Dene and Métis did not agree with this action and withdrew from the Dene/Métis negotiating group



AFN National Chief, Phil Fontaine, shakes hands with Cst. John Turcotte (Fort Good Hope). Standing beside him is Cst. Malvina Moore ("K" Division - Edmonton), and Aux/Cst. Francis Jackson (Yellowknife), and Cst. Noella Cockney (Inuvik).

Photo: David Gilbert, RCMP "G" Division



National Aboriginal Day celebrations at Symbak'è Park June 21, 2005.

1993

A political accord was signed by the federal and territorial governments and the Tungavik Federation of Nunavut on October 30, 1992 that outlines the creation of a Nunavut Territorial Government. In June 1993, after the boundary of the proposed new territory was approved by a majority of NWT residents, both the *Nunavut Land Claims Agreement Act* (Bill C-133) and the Act to Divide the NWT and Create the *Territory of Nunavut* (Bill C132) were passed.

On May 29, 1993 the Government of Canada, the Yukon Territorial Government, and the Yukon First Nations as represented by the Council of Yukon Indians (now the Council of Yukon First Nations), signed the *Umbrella Final Agreement*. This Agreement is an "agreement to negotiate an agreement" and does not create or affect any legal rights. It sets out the ground rules by which Canada, the Yukon Government and each Yukon First Nation will negotiate their own final agreement and self-government agreement.

1994

The Sahtu Dene and Metis were the second Dene and Metis group to seek a regional comprehensive land claim. Their final agreement was signed on September 6, 1993 and came into effect on June 23, 1994.

1995

The 1995 Inherent Right of Self-government Policy allows self-government to be negotiated simultaneously with lands and resources as part of comprehensive claims agreements.

1996

June 21 is declared as National Aboriginal Day, and celebrated for the first time with events from coast to coast to coast.

2000

The *Nisga'a Final Agreement* came into affect on May 11, 2000. The agreement is the first modern treaty in B.C. and the first treaty in Canada to incorporate both land claims and constitutionally protected self-government provisions.

2003

On August 25, 2003 the Tłıchǵ signed the first NWT combined land claim and self-government agreement.

2004

The Canada-Aboriginal Peoples Roundtable meeting was held in Ottawa on April 19, 2004. This was the first time members of the Federal Cabinet, House of Commons members and Aboriginal leaders worked together to address how to close the gap between Aboriginal people and other Canadians in six specific areas: health, housing, education/lifelong learning, negotiations/relationships, economic opportunities, and accounting for results.

Celebrating National Aboriginal Day

June 21 was chosen for National Aboriginal Day because of the cultural significant of the summer solstice. June 21 is the first day of summer and longest day of the year, and it is a time for Inuit, Métis, and First Nations to celebrate Aboriginal culture, achievements, and for the rest of Canada to join in and celebrate and honour Aboriginal peoples contribution to the nation.

2005 - May 31

On May 31, 2005, at the Canada Aboriginal Peoples Roundtable Policy Retreat, leaders of the National Aboriginal Organizations signed accords with the Government of Canada that will ensure their direct involvement in Aboriginal policy development.

2005 - July 4-7

Yellowknife hosts its first Assembly of First Nations Annual General Assembly.

2005 - August 4

August 4, 2005 was the effective date of the *Tłıchǵ Agreement*. As of this day, the Dogrib Treaty 11 Council and the four Tłıchǵ *Indian Act* bands ceased to exist and were succeeded by the Tłıchǵ Government.



NWT Commissioner, Tony Whiteford gives his speech at the National Aboriginal Day celebrations, June 21, 2005

Federal Ministers and National Aboriginal Leaders Participate in Joint Policy Retreat

On May 31, 2005 at the Canada Aboriginal Peoples Roundtable Policy Retreat, the leaders of the Assembly of First Nations, the Inuit Tapiriit Kanatami, the Métis National Council, the Congress of Aboriginal Peoples and the Native Women's Association of Canada signed accords with the Government of Canada that will ensure their direct involvement in Aboriginal policy development. This inclusive process will help ensure that First Nations, Métis and Inuit Canadians participate more fully in the federation and exercise greater control over their social and economic futures.

The Government of Canada is involved with policy renewal and change on issues relating to: implementation of self-government; resolution of Aboriginal land rights; implementation of historic treaties; and implementation of modern land claims and self-government agreements. Agreement was also reached regarding directions for change in health, education/lifelong learning, housing, economic opportunities and accountability for results.

The policy accords highlight the commitment between the Government of Canada and the National Aboriginal Organizations to strengthen partnerships. The renewed policy approaches will remove roadblocks to successful negotiations, and will improve the way agreements (both interim and final) are achieved. This new way of working together will provide clearer guidelines for how land and resources are used.

Renewed policy approaches will also achieve more self-government agreements and enhance the ability to resolve disputes over implementation of both historic and modern treaties. Self-government agreements, land claim agreements and treaties are important for all Canadians because they support harmonious relations between Aboriginal and non-Aboriginal communities. They provide stability for intergovernmental relationships and ensure that laws, rights and obligations are clear to everyone.

The New Tłıchǵ Government



Photo: Tessa MacIntosh

Former Prime Minister, Jean Chretien, poses with Tłıchǵ delegates on August 23, 2003: Joe Migwi, Alex Arrowmaker, Harry Simpson and Jimmy B. Rabesca. Standing behind them: Chief Archie Wetrade, Chief Eddie Paul Rabesca, Chief Joseph Judas and Chief Charlie James Nitsiza.

On June 13, 2005, residents of four Tłıchǵ Communities went to the polls to elect the new community governments under the Tłıchǵ Agreement which came into effect on August 4, 2005. Four Chiefs were elected (one for each of the four Tłıchǵ communities), as well as 28 community councillors; former MLA Leon Lafferty was elected chief of Behchok'ǵ (formerly known as Rae-Edzo), Charlie Football was elected in Wekweti, Henry Gon was elected in Gameti, and Chief Charlie Nitsiza was re-elected in Wha Ti.

This fall, Tłıchǵ Citizens will elect a Grand Chief for the new Tłıchǵ Government and the four Tłıchǵ community governments will select eight Tłıchǵ community councillors (two from each of the four communities) to sit in the Assembly of the new Tłıchǵ Government along with the four Tłıchǵ community government Chiefs.

This group of thirteen people will then appoint a Speaker of the Tłıchǵ Assembly from among the Tłıchǵ Citizens who are not members of the Tłıchǵ Assembly. The new Tłıchǵ Government will replace the Dogrib Treaty 11 Council and the four Tłıchǵ band councils. At the community level, the new Tłıchǵ community governments (the newly-elected Chief and community councillors) will replace the existing local governments in each Tłıchǵ community.

The community governments are municipal-like governments for all the residents of the communities, not just the Tłıchǵ Citizens. The community governments have the power to enact laws that are municipal in nature, similar to other community governments in the Northwest Territories.

The Tłıchǵ Government is the Aboriginal Government for the Tłıchǵ Citizens. It is the first Aboriginal Government to be established in the Northwest Territories through a modern self-government agreement. The Tłıchǵ Government will use their new law-making powers to protect and promote the Tłıchǵ lands, culture and way of life, and to enhance the economic growth and well-being of their communities.

Just plain fun!



Match up the following terms with their correct definitions:

Accord

a a number of self-governing regions (such as provinces) united by a central, "federal" government.

Federation

b to put "something" in action. After claims are settled, the government and Aboriginal groups must implement (put into action) the claim, and live up to their obligations.

Jurisdiction

c existing or occurring between two or more governments or levels of government

Implementation

d a formal political agreement.

Intergovernmental

e the power, right, authority to interpret and apply the law.

Answers: Accord:d, Federation:a, Jurisdiction:e, Implementation:b, Intergovernmental:c

On the Web

Government of Canada programs and services

Government of Canada site:

www.gc.ca

DIAND

Northwest Territories Region site:

www.nwt-tno.inac-ainc.gc.ca

Youthbuzz on the NWT:

www.nwt-tno.inac-ainc.gc.ca/Youthbuzz

Agreements

Indian and Northern Affairs Canada site:

www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web

Indian and Northern Affairs Canada site:

www.ainc-inac.gc.ca/nt/pt/index_e.html



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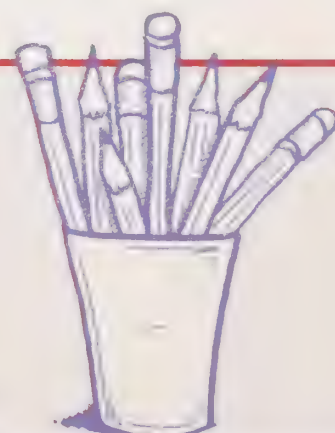
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NWT PlainTalk

On Land and
Self-government



Photo: Melissa Yu-Schoff, DIAND

Minister of State for Northern Development, Ethel Blondin-Andrew comments on the Tłıchǫ Act receiving 3rd Reading in the Senate; DIAND Minister Andy Scott, Ted Blondin, James Wah-Shee, Senator Gerry St. Germaine, Senator Nick Sibbeston, Harriet Paul, and John B. Zoe circle around her.

Tłıchǫ's Journey through the Legislative Process

The parliament buildings in Ottawa are a recognizable Canadian landmark, but what goes on inside may not be so well known. A look back at how the Tłıchǫ Act was recently passed gives some insight into what really goes on in those buildings, and the process of making new laws in the House of Commons and the Senate of Canada.

One year ago this spring, on March 31, 2004, the Tłıchǫ Act was introduced into the House of Commons. Unfortunately, it died on the Order Paper when the writ was dropped for the June 2004 election. Basically, that meant the legislation stopped in its tracks and had to be started all over again under a new government and Parliament. The Tłıchǫ Act was re-introduced into the House of

Commons on October 19, 2004 and the legislative process began again.

Introduction and First Reading

This process begins with the Introduction and First Reading, which are formal stages that take place at the same time. It is during this stage that a Bill is given a number, printed and distributed. In the case of the Tłıchǫ Act, it was given the number Bill C-14.

A Bill is a draft of a legislative proposal which is introduced into the House of Commons. When it has been passed by the House of Commons and the Senate, and assented to by the Governor General, it becomes a law.

Second Reading

The Second Reading stage includes formal debates amongst the Members of

Parliament about the basic principles of the Bill.

Committee

When second reading debates in the House of Commons were complete, Bill C-14 was referred to its Committee stage. At this stage, witnesses are interviewed and a clause-by-clause analysis of the Bill is done. The Committee is made up of various MPs representing each of the Parties. Witnesses - such as DIAND Minister Andy Scott, NWT Premier Joe Handley, the Tłıchǫ negotiating team, and others who have a direct interest in the Bill - made presentations and were interviewed.

The clause-by-clause analysis is a thorough examination of a Bill, and it is

continued on page 4

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read

A Piece of the Puzzle

Self-Government Community Lands Working Group

On June 23, 1994, the Sahtu Dene and Métis Land Claim Settlement Act came into effect and established Sahtu Dene and Métis title to 41,437 square kilometres of land in the Northwest Territories with surface rights and an additional 1,813 square kilometres of subsurface rights. The Act also guaranteed the Sahtu Dene and Métis the opportunity to negotiate self-government agreements on a community-by-community basis. So far, an Agreement-in-Principle on Self-Government has been signed for the community of Déline, and in Tulita a Framework Agreement on Self-Government was recently signed.

At times, the process of self-government may seem like a giant puzzle, where each step is only one piece among many that need to fit together for self-government to be complete. Take, for example, the issue of land transfers. In order for self-government to be finalized, all of the community lands that have been controlled by the municipal governments, the Government of the Northwest Territories or the federal governments must be reviewed. This is to determine which lands must be retained by the governments for program and services needs or for environmental reasons, and which lands will be transferred to the new government of the community.

The community of Déline has started the process of identifying the lands to be transferred. First a working group was established with three key members: Clarissa Richarson representing DIAND, Gerald Read representing the GNWT, and John Bailey representing Déline. With the work plan in place, an inventory of Déline's land was collected.

During the second step of the process, the Federal and GNWT representatives of the working group wrote letters requesting each government department identify lands in which they had an interest, including lands that should be retained for program and services needs or for environmental reasons.

Once all of the lands are accounted for, the land lots are listed into four categories - federal, GNWT, municipal, or private. All of the municipal land will be transferred to the community government, and all of the federal and GNWT land will remain federal and GNWT property unless no longer needed (for example, if an RCMP station is no longer in use, then perhaps that land will be transferred to the public government). Privately owned lands will not be transferred to the new community government.

In the fall of 2004, the lands working group spent time in Déline to better

understand the specific Déline lots. To be specific, the working group went into the community to do a "ground truthing exercise" to verify the land information and stated interests of the governments. Clarrissa Richarson felt the meeting was very positive for the project, commenting, "Meeting with Déline's community members helped us to experience first-hand what land issues Déline is dealing with. For example, as we walked the whole town, we got a

chance to see exactly who lived in which house, which lots were vacant or had new buildings on them, which lots had multiple buildings, and more. The community was really eager to help us with our questions and to tell us the history of the particular land lots."

After the inventory is collected and recorded, the lands working group will work together to make sure that all of the land is mapped and recorded in official documents.



This photo of the Sahtu Secretariat Inc. and Sahtu Dene Council building was taken while the working team was in Déline. It is in this building where the important self-government decisions and negotiations are held.

Kevan Flood, Sahtu Chief Federal Negotiator

Biggest challenge?

The very steep learning curve necessary when moving from table to table. Each First Nation has its own unique cultural values, history and interests that they are trying to advance at the negotiations. I have been very fortunate in having had countless numbers of people in Déline and Tulita who have had the patience to teach me what I needed to know to understand their interests, how they evolved and how they may be reconciled with federal and other interests to get agreements that are acceptable to all parties.

Biggest accomplishment?

No question, my most significant accomplishments have been the successful negotiation of the Déline Self-Government Agreement-

in-Principle, the Canada/Déline Uranium Table Action Plan and the Tulita Self-Government Framework Agreement.

Most memorable moments?

Probably my first day in Déline--walking about the community, I found my way to the "Prophet's House", which was perhaps the most spiritually significant place in the community. I had no idea of that, of course, but it was obviously an important place. I found myself sitting on the front steps of the building, looking out over Great Bear Lake and thinking that life sure does take some strange turns that brings a prairie-born lad to the NWT to negotiate with the people of Déline. It was a perfectly beautiful day, late on a summer's evening with the sun still high in the sky

(new to me), and I thought: "I must be here for a reason but I'll be darned if I know what it is!"

Greatest thrill?

Being asked to be Godfather to Danny Gaudet's daughter, Faith. Faith is such a sweetheart she makes you believe in the other two: Hope and Charity.

Greatest satisfaction?

Working with so many gifted people on the Federal Team. It would be nice to think that the negotiator is this big deal, but no negotiator can function, let alone succeed, without a really good team. I've been privileged to work with the best!

Thank you Kevan for all of your hard work and good luck in your future endeavours!



For twelve years, Kevan Flood has been dedicated to self-government negotiations in the NWT. Kevan has held the role as DIAND's Chief Federal Negotiator in the Sahtu region for six years and before that he was involved with the Beaufort-Delta process. Come this winter, Kevan plans to retire and to travel Canada by motorcycle. We caught up with Kevan, and asked him a few questions about his time at the negotiating table and in the Sahtu communities.

The Tulita Signing

On March 16, 2005, representatives for the Tulita Yamoria Community Secretariat, the Government of Canada and the Government of the Northwest Territories signed the Framework Agreement for the Tulita Self-Government process.



Tulita Dene Band Chief Frank Andrew and Ethel Blondin-Andrew, Minister of State for Northern Development, sign the Tulita Self-Government Framework Agreement.

◀ The opening prayer song was given by the community Elders. John B. Etchinelle, Maurice Mendo, and Victor Menacho are seen drumming here.



◀ Norman Yakeleya was the first Self Government Chief Negotiator for Tulita Yamoria Community Secretariat. He is currently the MLA for the Sahtu region.
▼ Tulita Chief Frank Andrew welcomed the visitors and congratulated the Sahtu Dene and Métis of Tulita.



DIAND Minister, Andy Scott is joined by Premier Joe Handley in the signing of the Tulita Self-Government Framework Agreement



DIAND Minister Andy Scott, Premier Joe Handley, and the President of First Norman Métis Land and Frontiers Corporation, Edgar McPheer, at the signing table.

Photos by Jarvis Gray,
Indian and Northern Affairs Canada

"It gives me great pleasure to be here today for this joyous event," spoke Honourable Ethel Blondin-Andrew, Minister of State for Northern Development. "Tulita, where the waters meet, is now a place where cultures commingle; a community where Dene and Métis are united by a common desire for self-government. The name chosen for the Secretariat that represents the two peoples honours Yamoria, a heroic icon of Dene culture. May the strength of Yamoria live on in this community and empower today's agreement."

- HONOURABLE ETHEL BLONDIN-ANDREW, MINISTER OF STATE FOR NORTHERN DEVELOPMENT



The *Tłıchǵ* Act's Royal Assent

continued from page 1

the first opportunity for Members of the committee to propose amendments. In the case of the *Tłıchǵ* Bill, no amendments were proposed or made.

The Bill

The Bill was then reported back to the House of Commons. At this point the House reviews the committee's work on a Bill and allows all Members of the House to propose further amendments. Since there were no amendments proposed on Bill C-14, the House proceeded immediately to Third Reading of the Bill.

Third Reading

The Third Reading is the Bill's final consideration by the House of Commons before it is sent to the Senate. Bill C-14 was passed during Third Reading. Members gave a standing ovation to the *Tłıchǵ* who were in the gallery to witness the event. It was an emotional milestone, but the *Tłıchǵ* Bill was still only half way through the process.

Next came the Senate, where Bill C-14 also went through a First Reading, Second Reading, Committee Stage, Report Stage and Third Reading. Why the similar process again? Because the Senate is considered to be the place of "sober second thought." Many *Tłıchǵ* flew to Ottawa to witness the final stages of the legislative process. The Senators who were on the Senate Committee on Aboriginal Peoples commented on the perseverance and

dedication of the *Tłıchǵ* people to see the process through.

After the Bill received its third reading in the Senate, the *Tłıchǵ* rejoiced in the foyer of the Senate. Various Senators, Minister Andy Scott, Minister Ethel

Blondin-Andrew, and many more, all joined the *Tłıchǵ* for a traditional tea dance. Those celebrating witnessed a dream become a reality.

Royal Assent

Royal Assent came a few days later as Madam Justice Marie Deschamps, acting for Governor General Adrienne Clarkson,

*After more than 12 years of hard work and dedication through negotiations, this Act will give legal effect to the *Tłıchǵ* and empowers the *Tłıchǵ* people's confidence and enthusiasm to face their future.*



Photo: Melissa Yu-Schott, DIAND

After the Bill received its third reading in the Senate, the *Tłıchǵ* rejoiced in the foyer of the Senate. Bertha Rabesca-Zoe, John B. Zoe, Ernie Smith, Bill Erasmus (AFN Vice Chief), and Virginia Lamouelle joined the many others in a traditional tea dance. Those celebrating witnessed a dream become a reality.

signed the document which officially enacts the Bill as a law of Canada.

And so the *Tłıchǵ* Act completed its successful journey through the federal legislative process on February 15,

2005. After more than 12 years of hard work and dedication through negotiations, this Act will give legal effect to the *Tłıchǵ* and empowers the *Tłıchǵ* people's confidence and enthusiasm to face their future.

You were asking...

What is a Bill?

A Bill is a draft of a legislative proposal which is introduced into the House of Commons. When it has been passed by the House of Commons and the Senate, and assented to by the Governor General, it becomes a law.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below.

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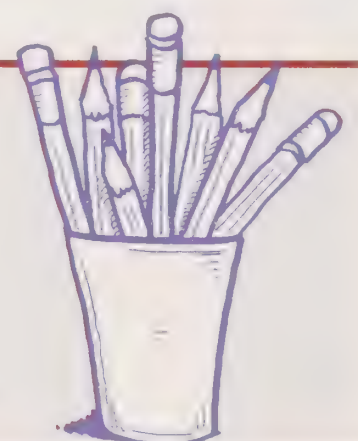
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NWT PlainTalk

On Land and
Self-government

Mapping Project Reveals Gameti's Past

As Aboriginal groups build their communities' future through land and self-government agreements, it is important that they have accurate information about the land and resources that they are negotiating. This past summer, the Gameti First Nation worked in partnership with the Northwest Territories Geoscience Office (Outreach Program) to conduct a two-week geological mapping project. Approximately 15 square km of the Gameti community and surrounding area was observed and recorded for not only its rock, but also its flora, fauna and interesting historical landmarks.

A deep hole in the rock at Faber Lake was interpreted as being formed by glacial meltwater. Several thousand years ago when the glaciers retreated from the Gameti area, meltwater beneath the glacier worked its way down through a fracture, or series of fractures, in the rock. The force of the water spun loose rocks around, which over time ground out the sides of the hole.

Another glacial feature in the area is an esker, which is a long narrow ridge or mound of sand, gravel, and boulders that were the remains of rivers that once flowed under a glacier. Gameti is built on top of an esker - so there is no shortage of sand!



Photo courtesy of Northwest Territories Geoscience Office (Outreach Program)

"This mysterious hole found at Faber Lake was created by a glacier thousands of years ago! The Northwest Territories Geoscience Office (Outreach Program) investigated this hole's history and other interesting rock and land formations at the community of Gameti this past summer."

 continued on page 4

Mapping the Big Picture

Inside this issue are poster-sized maps that show settled land, resource and self-government agreements with Aboriginal groups in the Northwest Territories, and Interim Measure Agreement (IMA) areas for on-going negotiations. These maps are particularly helpful for illustrating the on-going negotiations in relation to the NWT's physical land features; by seeing the land from a bird's-eye view, people can see the big picture of how

communities, lakes, rivers and claims borders relate to one another.

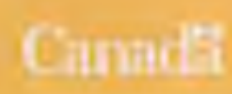
Working with land claims maps can be especially challenging when some of the negotiations are not yet finalized. With negotiations changing, it is difficult to create a map that is 100% accurate. The maps in this issue are for illustration purposes only and are only meant to give people a rough idea of what a claims area under negotiation

looks like as a picture. Since this type of information is very valuable to a wide variety of clients (including industry, Aboriginal groups, communities and government), it is important to produce these maps as an interim visual tool. Please feel free to pin them on your wall!



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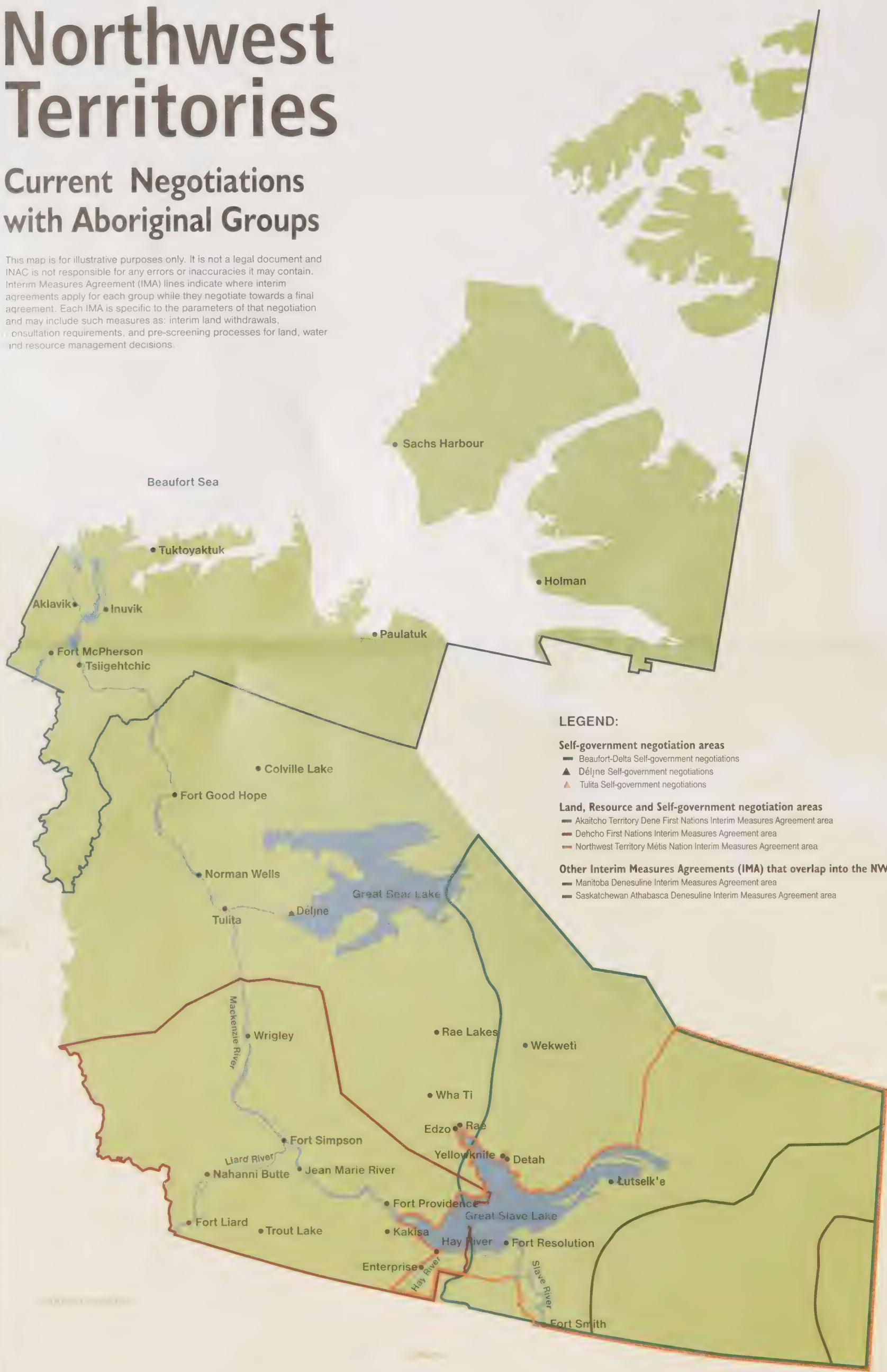
- In this Issue...**
- MAP - Current Negotiations with Aboriginal Groups
 - MAP - Finalized Aboriginal Agreements
 - Just plain fun
 - Our vision
 - Got something to tell us?



Northwest Territories

Current Negotiations with Aboriginal Groups

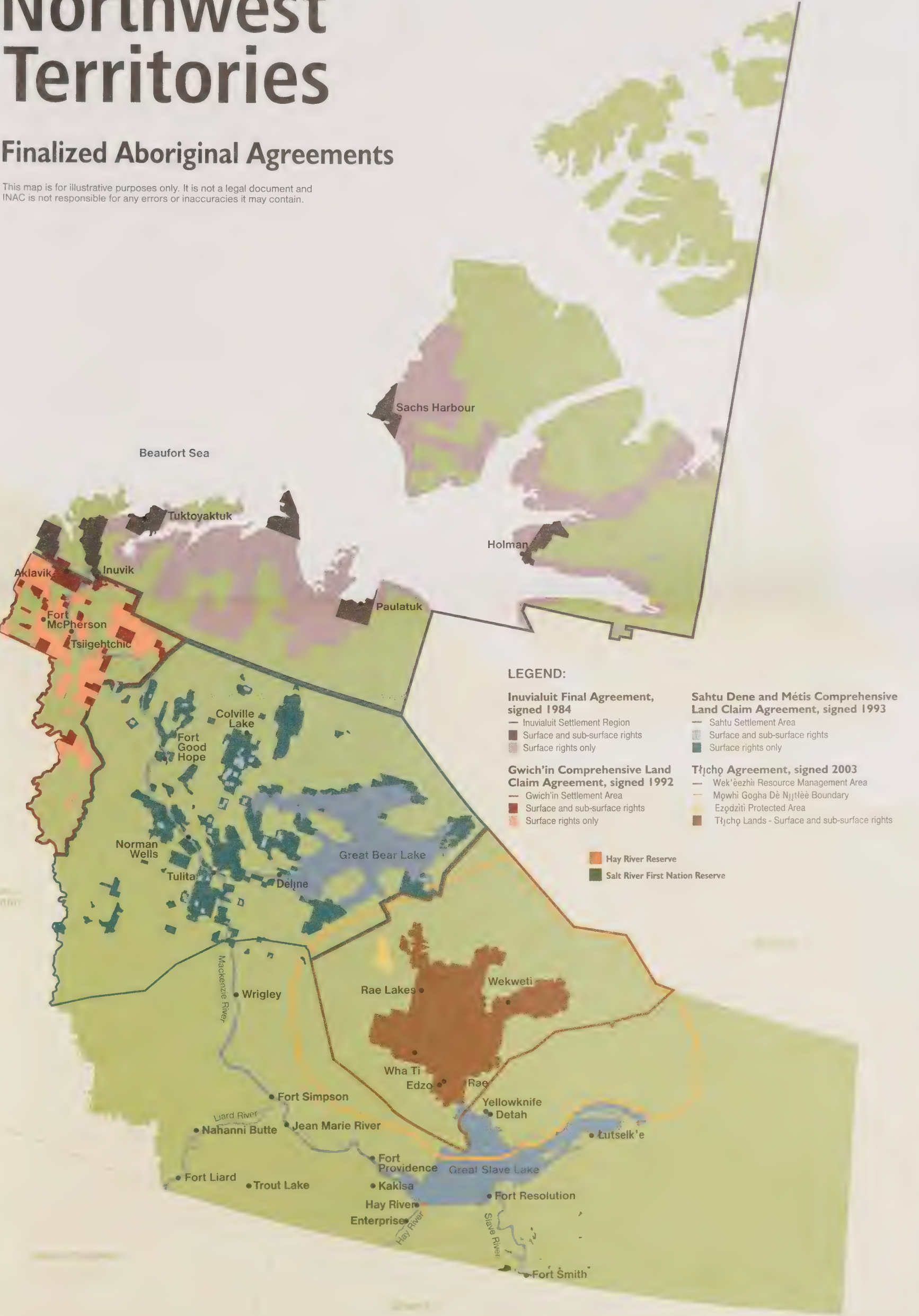
This map is for illustrative purposes only. It is not a legal document and INAC is not responsible for any errors or inaccuracies it may contain. Interim Measures Agreement (IMA) lines indicate where interim agreements apply for each group while they negotiate towards a final agreement. Each IMA is specific to the parameters of that negotiation and may include such measures as: interim land withdrawals, consultation requirements, and pre-screening processes for land, water and resource management decisions.



Northwest Territories

Finalized Aboriginal Agreements

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Gameti Records Earthquakes

continued from page 1

Roxanne Mantla, Jennifer Wetrade, and Alphonse Apples were three Gameti community members on the geology team along with Donna Schreiner, Beth Fischer (NWT Geoscience Office) and Diane Baldwin (Resources Wildlife and Economic Development). They learned how to collect, compile and interpret geologic, physiographic and cultural information, as well as how to use a compass and GPS tracking device. Alphonse Apples is one of Gameti's prominent Elders, and his family was one of the first families to move to Gameti around 1965.

Once the data was collected, a poster was created with input from all team members that provides information about the geology surrounding Gameti. This poster was distributed within the community. It is available for use by the schools as a learning tool, and for general information to the community and for tourism. Donna Schreiner, one of the NWT Geoscience Office geologists, returned to Gameti this winter to discuss the mapping results with the community and school.

In addition to mapping bedrock and surface features, a teleseismic station was installed that will aid in mapping layers beneath the surface up to 300 km in depth! The instrument senses earthquakes from around the world, recording how seismic waves bend through different layers within the earth. Its graphics display of earthquake ground movement can be viewed on the web at <http://www.polarisnet.ca/data/plots>.

The Northwest Territories Geoscience Office is very interested in mapping other communities. Your community can also find out about it's rock and land formations by contacting the Northwest Territories Geoscience Office:

Phone: (867) 669-2636 or check out their website at www.nwtgeoscience.ca.

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Just plain fun!

What is a Land Claim?
An agreement that describes who owns the land and the use of its resources.

Compare the two pictures below. There are 10 things slightly different between them both - try and find these differences!



Look for the answer in the next edition of Plain Talk

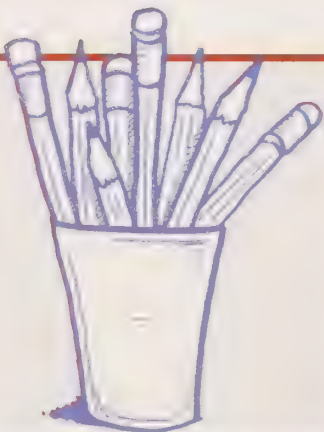
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Indian and Northern
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NWT PlainTalk

On Land and
Self-government

Fall 2004



Resource and Environment Edition



Long-time residents of the Northwest Territories will tell you a lot has changed here over the years. The population has grown, the road system has improved, and telephone, television and internet access have given northerners more ways to connect to the rest of Canada and the world. Another major change has been the way resources and the environment are regulated as governments have worked together to modernize these management systems. The completion of land and self-government agreements with the Aboriginal people of the NWT has been one of the key drivers behind this evolution.

This edition of *Plain Talk* looks at how negotiations with Aboriginal groups on land, resources and self-government are changing the way resources are regulated and the environment is protected in the Northwest Territories: from the creation of new public regulatory boards, to collaborative geoscience research, to community involvement in the pipeline project.

Akita Drill Rig rough necks: Ron Cadieux (Lac la Biche); Lawrence Loreen (Inuvik); Julian Sassie (Fort Liard) (Canadian Forest Oil, 1990)

Resource management in the NWT

Resource management involves monitoring and regulating uses of land and water. "Uses" can be as small as building a boat dock, or as large as setting up a major development such as a diamond mine. In the NWT, resource management continues to evolve as land, resource and self-government agreements with Aboriginal people are concluded. This helps ensure that the system of resource management in the NWT includes significant public and Aboriginal involvement.

Public lands in the NWT are controlled, managed and administered by either the federal government ("federal Crown lands") or the territorial government ("Commissioner's Lands"). Until recently, most of the land in the NWT was public. Over the past 20 years title over large portions of land has been recognized, through land claim agreements, as being held by Aboriginal groups. In some cases, these groups own both the surface and sub-surface rights to a parcel of land, in other cases, only surface or sub-surface rights.

And so, with both governments and aboriginal people having a stake in managing the land, there was a need for a system of co-management. To accomplish this, much of the regulatory responsibility over the land, water and environment has been turned over to new boards and committees with some members chosen by Aboriginal groups.

In the Inuvialuit Settlement Region (ISR) environmental assessment is conducted under a regime established as part of the Inuvialuit Final Agreement (signed in 1984) and the *Canadian Environmental Assessment Act*.

In the rest of the NWT (often referred to as the Mackenzie Valley), a different environmental assessment regime was established under the *Mackenzie Valley Resource Management Act (MVRMA)*, which came into force in 1998. The *MVRMA* was developed in the context of the first Dene/Métis land claim negotiations in the 1980s. It was designed to reflect those first agreements and to accommodate new agreements as they came on stream.

Public land in the ISR is managed under the *Territorial Lands Act* and water is managed under the *Northwest Territories Waters Act*. Land and water use in the Mackenzie Valley is regulated under the *MVRMA* through a set of regional and valley-wide public boards.

Regardless of where you are in the NWT however, the regulatory systems have some important things in common. Land and water decisions consider the protection of the environment from any significant adverse impacts of proposed developments. The economic, social and cultural well-being of residents and communities are also factored into decision-making. In all cases, mechanisms are in place to ensure a greater role for Aboriginal people in land use planning, environmental assessment and regulation of land and water use.

The Inuvialuit, Gwich'in, Sahtu now control and administer certain lands within their settlement regions, as will the Dogrib once their *Tłı̨chǫ Agreement* comes into effect.

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Got something to tell us?

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Resource Management

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In the Mackenzie Valley, the Aboriginal groups also participate in an overall regulatory system for land and water use through their settlement area. In areas where land and resource rights are still being negotiated with Aboriginal groups, such as the Deh Cho and South Slave regions, interim measures have been put in place to clarify how these groups will be involved.

What about the role of the Department of Indian Affairs and Northern Development (DIAND)? First of all, the department continues to manage federal Crown lands in the NWT. It has also retained the responsibility for inspection and enforcement aspects of federal legislation dealing with renewable or non-renewable resources throughout the NWT, regardless of who owns the land or which public board is in place. For example, if a Land and Water Board attaches conditions to a permit, DIAND monitors and enforces those conditions.

Should you have any questions about resource management and regulation in the NWT, there are resources available to explain in detail what rules and processes apply in each region. DIAND has two easy-to-use guides to answer frequently asked questions: **A Citizen's Guide to the Mackenzie Valley Resource Management Act** and **Your Guide To Who Manages Crown Land in the Northwest Territories**. Both are available online at http://nwt.inac.gc.ca/p_e.htm or by calling (867) 669-2576. You can also contact DIAND's Land Administration Office at (867) 669-2671.

Resource management regions at a glance

Inuvialuit Settlement Region (ISR)

Agreement:

Inuvialuit Final Agreement (IFA) signed in 1984. The Inuvialuit own 90,650 km² of land in the NWT, including subsurface (mineral) rights on 12,950 km² of land.

Resource management legislation:

In the ISR the *Canadian Environmental Assessment Act (CEAA)* applies in addition to the environmental assessment regime described in the IFA. The *Northwest Territories Waters Act* and the *Territorial Lands Act* continue to apply in the ISR.



Sharon Nelson/DIAND

Resource management regime:

The IFA created a number of administrative and regulatory bodies with specific responsibilities, including land use planning, wildlife management, fisheries management and research. Some of these bodies have advisory powers, others have decision-making powers.

Mackenzie Valley in areas covered by final agreements with Aboriginal groups

Agreements:

Gwich'in Comprehensive Land Claim Agreement (signed in 1992) – the Gwich'in own 22,330 km² of land in the NWT, including subsurface (mineral) rights on 6,158 km².

Sahtu Comprehensive Land Claim Agreement (signed in 1994) – the Sahtu own 41,437 km² of land in the NWT, including subsurface (mineral) rights on 1,813 km².

Tłı̨chǫ Agreement (pending approval by Parliament) – The Tłı̨chǫ will own and have subsurface (mineral) rights to a block of land approximately 39,000 km².

Resource Management legislation:

The *Mackenzie Valley Resource Management Act (MVRMA)* was first proclaimed in 1998. It replaced most of the *Canadian Environmental Assessment Act (CEAA)* for matters solely in the Mackenzie Valley and modified the *Northwest Territories Waters Act*. (A joint CEAA-MVRMA process exists for projects that cross through the Inuvialuit Settlement Region and the Mackenzie Valley.)

Resource management regime:

Each settlement region has a Land and Water Board which considers applications for land and water use. There is also a board for the Gwich'in region and the Sahtu region that develops land use plans. Where a project crosses into more than one region, a valley-wide Land and Water Board will consider the application. The Mackenzie Valley Environmental Impact Review Board (MVEIRB) is responsible



NWT Geoscience Office

for environmental assessment and review throughout the Mackenzie Valley.



NWT Geoscience Office

Mackenzie Valley in areas subject to on-going land and self-government negotiations

Agreements:

Aboriginal groups here don't yet have final agreements. Special measures have been negotiated as part of interim measures agreements to clarify their involvement in resource management (Akaitcho Treaty 8, Dehcho First Nations and Northwest Territory Métis Nation).

Resource management legislation:

The MVRMA applies, as it does in the rest of the Mackenzie Valley.

Resource management regime:

The valley-wide Land and Water Board considers land and water use applications and the MVEIRB's role in environmental assessment and review is the same. Interim agreements with Aboriginal groups can include measures such as nominations to the Mackenzie Valley Land and Water Board, consultation measures, and temporary withdrawals of lands from development. How future land, resource and self-government agreements will be integrated with the MVRMA system is to be negotiated.

Understanding “the Boards”

System reflects the unique history and make-up of the Territory

The system set up to manage resources in the NWT reflects the unique history and make-up of the territory. In the Inuvialuit Settlement Region, the system that is in place today was established as a result of the Inuvialuit Final Agreement signed in 1984 and remains distinct from the rest of the territory. The Mackenzie Valley, as the rest of the territory is commonly called, comes under the Mackenzie Valley Resource Management Act (MVRMA).

In the Mackenzie Valley public resource management boards are responsible for a variety of resource and environmental management processes. The Mackenzie

Valley Environmental Impact Review Board (MVEIRB) conducts preliminary screening of development proposals, environmental impact assessment and impact reviews, while Mackenzie Valley Land and Water Boards issue of water licenses and land use permits. The boards are made up of representatives nominated by regional Aboriginal organizations, the Government of Canada and the Government of the Northwest Territories and appointed by the Minister of DIAND.

For example, the Gwich'in Land Use Planning Board has five members. The Gwich'in Tribal Council nominates two members, and the Government of the

Northwest Territories (GNWT) and Government of Canada each nominate one member. These four people then nominate a fifth person as chairperson.

Once appointed by the Minister of DIAND, a member's duty is to act in everyone's interest, not only the interests of the group that nominated them. Having a mix of both Aboriginal nominees and other citizens nominated by government provides boards with the diversity and balance to make objective and informed decisions.

As land and self-government negotiations with Aboriginal people are finalized in the remaining regions of the NWT, it is likely

that additional boards will be created. For example, once federal legislation approves the new Tłı̨chǫ Agreement, the Wek'èezhìi Land and Water Board will be established. It will regulate land and water use in Wek'èezhìi, an area in the North Slave Region. This board will be similar to the boards that were established in the Gwich'in and Sahtu areas. Each regional board is included as a panel on the valley-wide Mackenzie Valley Land and Water Board (MVLWB) that considers matters which affect multiple regions.

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Aboriginal participation in environmental management

The role of Aboriginal expertise is growing and changing

The first environmental audit of the NWT is about to begin. Unique in Canada, North America, and possibly the world, the audit is a direct result of the land and resource negotiations with the Aboriginal people of the NWT.

The NWT Environmental Audit is a requirement of the Gwich'in, Sahtu and Tłı̨chǫ agreements, as well as the Mackenzie Valley Resource Management Act (MVRMA). The audit will review the current health of the environment throughout the entire NWT, as well as the effectiveness of environmental management programs.

The audit is related to, but separate from, the NWT Cumulative Impact Monitoring Program (CIMP), which uses a community-based approach to studying how all uses of land and water, and deposits of waste, affect the environment of the NWT now and in the future. Partnership is an essential aspect of the monitoring program, which has been developed by a working group that includes representatives of NWT Aboriginal governments, the Government of Canada, and the Government of the Northwest Territories.

A similar approach has been used to develop the NWT Cumulative Effects Assessment and Management (CEAM) Strategy and Framework. The CEAM Strategy and Framework were developed in response to the *Comprehensive Study Report for the NWT Diavik Diamonds Project*.

Guided by a multi-party steering committee composed of Aboriginal governments, environmental organizations, industry, and the federal and territorial governments, the CEAM Strategy and Framework provides environmental management decision-makers with recommendations to ensure responsible economic development in the NWT is carried out within an effective environmental management framework.

Role of Aboriginal people growing

The role of Aboriginal people in environmental management is also growing through the monitoring agencies set up under the environmental agreements for the NWT's three diamond mines. The role played by Aboriginal people varies between these organizations. For instance, the Independent Environmental Monitoring Agency for BHP Billiton's Ekati Mine is made up of seven scientific experts, four of whom are appointed by Aboriginal people. The remaining three are jointly appointed by BHP Billiton, DIAND and the Government of the NWT, in consultation with Aboriginal people. The Environmental Monitoring Advisory Board for the Diavik Diamond Project includes representatives of each of the five Aboriginal groups affected by the development, as well as the company, the federal and the territorial governments. In the case of the Environmental Agreement for the De

Beers Snap Lake project, all members of the interim independent monitoring organization will be from Aboriginal organizations.

Regardless of how Aboriginal people are involved in these monitoring organizations, each agency is looking for ways to better apply the expertise of Aboriginal people. For instance, the monitoring agencies are currently co-operating on a plan to better incorporate traditional knowledge into their monitoring programs.

Supporting participation

Since the early 1990s, mining, oil and gas exploration, and other development has increased considerably in the NWT. As a result, Aboriginal communities have faced increasing pressure to respond to developers' plans. In particular, communities in areas where a land and resource agreement has not yet been completed can have trouble finding the money and people they need to address the growing number of development proposals.

To assist, DIAND and the NWT Department of Resources, Wildlife and Economic Development have co-operated to develop the Interim Resource Management Assistance (IRMA) Program. Funding from this program goes to First Nation and Métis groups in areas that don't have a land and resource agreement to help them participate in regulatory processes, environmental assessments, and resource management

policy and legislation. IRMA funding also helps these Aboriginal groups provide training to local people, who in turn, help their community to address development proposals.

Protecting special places

The NWT Protected Areas Strategy (NWT-PAS) is a process communities can use to protect special places before development occurs whether or not they have a final land and resource agreement in place for their area. Communities take the lead in the Protected Areas Strategy, identifying areas of special cultural, historical or ecological importance, then guiding their proposal through the process.

The NWT-PAS is a partnership of communities, regional organizations, Aboriginal organizations, industry, environmental organizations and governments. It is jointly funded and delivered by the NWT Department of Resources, Wildlife and Economic Development and DIAND, which together make up the NWT Protected Areas Strategy Secretariat.

Two areas are making significant progress through the NWT-PAS process. The Tłı̨chǫ and Deh Cho people have advanced the Edézhı́e (Horn Plateau) candidate area to the point where it is under interim land withdrawal while further research is carried out. The people of the Sahtu have done the same for Sahyoue/Edacho, two peninsulas on Great Bear Lake.

We want to know what you think!

Did you find this edition of *Plain Talk* informative?

☐ Yes ☐ No

Why _____

Does *Plain Talk* help you to better understand land claims and self-government in the NWT?

☐ Yes ☐ No

Why _____

Had you seen *Plain Talk* before?

☐ Yes ☐ No

What other topics would you like to see covered in future issues of *Plain Talk*? _____

How would you describe the reading level of the articles?

☐ Easy ☐ Difficult ☐ Just Right

How would you describe the length of the articles?

☐ Too long ☐ Too short ☐ Just Right

Do you like the layout and design of *Plain Talk*?

☐ Yes ☐ No

We'd appreciate any other comments you have on the content or layout and design of Plain Talk.

Thank You.

Community: _____

Name: _____ (optional)

E-mail address: _____ (optional)



Flowers at Port Radium. Sharon Nelson, DIAND

What are the PROs doing for your community?

Here are the people in the Pipeline Readiness Office (PRO) you may want to get to know.

Matthew Spence
Socio-Economic and Community Relations Advisor
(867) 669-2853



Over the past two years, Matthew Spence has been meeting with communities throughout the Mackenzie Valley. His goal is to help Aboriginal groups become better equipped to gain the benefits from natural gas development and to manage the impacts of the pipeline and associated developments.

Examples of past funding arrangements with communities include:

- access and benefits negotiations preparedness workshop;
- funding for the Aboriginal Pipeline Group; and
- Integrated Resource Management Assistance to Dehcho communities to participate in the reviews of major resource development projects.

"I think it's important to note that although non-renewable resource development is not 'literally' sustainable, if done right it can lead to the development of more sustainable activities," said Spence. "For example, increased education for Aboriginal students can lead to better and broader expertise which in turn brings more independence, increased economic diversification and ultimately a more robust and sustainable economy to their communities."

One of Spence's key initiatives is working closely with representatives from the Government of the Northwest Territories and the Mackenzie Gas Producers to provide funding to communities who will be directly impacted by the construction of the pipeline.

Emmanuel Atiomo
Community Capacity Advisor
(Environmental Assessment)
(867) 669-2598



Emmanuel Atiomo is working closely with regional organizations and communities to help strengthen their ability to participate effectively in consultations, environmental assessment and regulatory review of the Mackenzie Gas Project. Atiomo's work to date has focussed on providing financial and other assistance in the organization of workshops and information gathering studies. Capacity-related assistance has been provided to many NWT Aboriginal groups including:

- Dehcho Pipeline Working Group
- Inuvialuit Joint Secretariat
- Gwich'in Tribal Council
- Sahtu Dene Council
- various Renewable Resource Boards

For more information on the Pipeline Readiness Office, call 867-669-2855 and talk to the other PROs.

Pipeline Readiness Office (PRO)

Your northern support

The Minister of DIAND formally announced the Pipeline Readiness Office (PRO) on February 13, 2003. Its purpose? To prepare for an industry application to build a northern pipeline through the Mackenzie Valley.

Until 2000, PRO was operating with only one or two staff members. At that point, the government felt it needed to increase its capacity to deal with industry, coordinate with other government organizations and work with Aboriginal organizations and northerners. Additional positions were created to enhance the department's involvement in, and preparation for, the pipeline application, as well as to support communities in preparing for the Mackenzie Gas Project application.

PRO staff have four areas of responsibility including research, environmental assessment, partnerships and capacity.

The **research** function involves supporting science and research in relation to pipeline review, construction, operation and associated hydrocarbon exploration and development. The information gathered is intended to fill information gaps. It is shared with communities, and can be used to prepare for the **environmental assessment** and public hearings for the pipeline. One example is the project PRO co-funded to examine fish population, vital rates and movements from Travaillant Lake in the Gwich'in settlement area.

There are many different offices within DIAND that are required to provide input into the environmental assessment process for the Mackenzie Gas Project. These offices include: water resources, land resources, district offices, board relations and comprehensive claims. PRO is responsible for coordinating the entire department's input into the environmental assessment of the proposed pipeline project. This information will then be used to respond to the Mackenzie Gas Producer's application and will be the basis for the department's potential interventions in the public hearings.

PRO has ongoing **partnerships** with many groups including government departments and agencies, First

Nations, Northern Boards and industry. The Cooperation Plan is an excellent example of work accomplished through these partnerships. This document describes the framework that the agencies follow to implement a coordinated environmental assessment and regulatory review of the Mackenzie Gas Project. The Cooperation Plan and related environmental assessment and regulatory agreements outline a coordinated approach for involvement in the Mackenzie Gas Project.

In the area of **capacity**, PRO supports Aboriginal communities and other northerners to improve their ability to participate in all aspects of the pipeline project including training, access negotiation, economic ventures, and environmental assessment.



Liz Gilbert, DIAND

Our PRO team: (Clockwise) Emmanuel Atiomo, Community Capacity Advisor, PRO Director Ricki Hurst, Matthew Spence, Socio-Economic and Community Relations Advisor, and Marie Adams, PRO's Environmental Assessment and Regulatory Advisor.



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Proposed Pipeline Route

The Mackenzie Valley Producers (Imperial Oil, ConocoPhillips, Shell Canada and ExxonMobil) are proposing to build a pipeline through the Mackenzie Valley. This pipeline will be used to deliver natural gas from the gathering fields in the Mackenzie Delta to southern markets.

To do this, the Mackenzie Gas Producers (MGP) must apply and receive approval from various government departments, agencies and Northern Boards. They must also meet with Aboriginal communities and organizations to discuss and finalize land access and benefit agreements prior to beginning construction.

The proposed pipeline would go through the following regions:

Inuvialuit Settlement Region

- Land and resource agreement signed in 1984
- Environmental assessment under the Inuvialuit Final Agreement and under the *Canadian Environmental Assessment Act*
- The Inuvialuit Regional Corporation is a partner in the Aboriginal Pipeline Group with the objective of being a one-third owner of the proposed pipeline

Gwich'in Settlement Area

- Land and resource agreement signed in 1992
- Environmental assessment under the *Mackenzie Valley Resource Management Act*
- The Gwich'in Tribal Council is a partner in the Aboriginal Pipeline Group with the objective of being a one-third owner of the proposed pipeline

Sahtu Settlement Area

- Land and resource agreement signed in 1993
- Environmental assessment under the *Mackenzie Valley Resource Management Act*
- The Sahtu Dene Council is a partner in the Aboriginal Pipeline Group with the objective of being a one-third owner of the proposed pipeline

Deh Cho Region

- Dehcho First Nations land and resource rights under negotiation through the Dehcho Process
- Dehcho Interim Measures Agreement signed in 2001
- Interim Resource Development Agreement signed in 2003
- Environmental assessment under the *Mackenzie Valley Resource Management Act* as per the Interim Measures Agreement.



Geoscience support for negotiations and planning

When governments and Aboriginal groups negotiate land and resource agreements, it is critical for both sides to have an idea what resources may lie under the selected land surface. This kind of information helps the negotiating parties make decisions about what land is selected by the Aboriginal group and can have an impact on other parts of the final agreement. It also gives the Aboriginal group important information they will need to do long term land use planning for their region and its people.

For example, if an area with abundant mineral deposits is chosen by an Aboriginal group, they can become the owners of that resource. They will then play a lead role in deciding whether the deposit will be mined,

as well as when and how that development will happen.

An assessment of the land's resource potential is also an important part of the land and resource negotiation process because the mining and oil and gas industries play an important part in the NWT's economy. The economic, cultural and ecological values of an area are all considered when negotiating and creating land use plans.

Gathering information about the non-renewable resource potential of a piece of land requires specialized skills and equipment. To find out if an area under negotiation has good mineral and petroleum potential, the groups involved in negotiations can get help from the Northwest Territories Geoscience Office (NTGO), located at the CS Lord Northern

Geoscience Centre in Yellowknife.

The first stage is to gather all of the area's geological information, including: maps of the bedrock, geophysical surveys (measuring rock properties by airborne instruments or on the ground), geochemical surveys (determining the chemical make-up of earth materials through lab work) and other kinds of land reports.

The second stage is to compile and study all of the available information and create an initial assessment of what non-renewable resources might be under the surface of the land. The assessment is in the form of a report which will include maps and/or tables, and may also address recommendations for further research (such as bedrock mapping or collecting samples).

After all of the information is considered and

documented, the final results of the land assessment is reported to the Aboriginal group and communities. Most resource assessment reports are also released to public by the NTGO.

The NWT Geoscience Office is one of the many important services in the NWT that supports land and resource negotiation processes and the development of land use plans. The Office is open to the public, and reports on non-renewable resource assessments are available through the NTGO's Gateway website at www.nwtgeoscience.ca/services/gateway.html. You can also access a database of all known mineral showings and references to geology in the Northwest Territories and Nunavut at www.nwtgeoscience.ca/normin

For more information, please contact the NTGO at: www.geoscience.ca

The Boards

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Another part of resource management is the regulation of the harvesting of plants and animals. Though they do not come under the MVRMA, boards for this purpose are also established in each region that has a final agreement. These boards are also composed of Aboriginal and government nominees. Their main function is to advise governments on the management of wildlife, trees and plants and set harvesting limits in these areas.

Parties other than the boards also play a role in the regulatory process. For example, DIAND remains responsible for inspection and enforcement functions for land and water uses, while the GNWT and various federal departments are responsible for enforcement on other renewable resource matters such as to enforce wildlife, forestry.

For more information

For more information on specific boards and resource management bodies in the NWT, contact DIAND's Board Relations Secretariat at (867) 669-2600 or email martinj@inac.gc.ca.

Board Relations Secretariat - DIAND - http://nwt.inac.gc.ca/brd_e.htm

Gwich'in Land Use Planning Board - www.gwichinplanning.nt.ca

Gwich'in Renewable Resource Board - www.grrb.nt.ca

Gwich'in Land and Water Board - www.glwb.com

Mackenzie Valley Environmental Impact Review Board - www.mveirb.nt.ca

Mackenzie Valley Land and Water Board - www.mvlwb.com

Sahtu Land and Water Board - www.slwb.com

Sahtu Land Use Planning Board - <http://209.146.197.178/index.html>

Fisheries Joint Management Committee (Inuvialuit Settlement Region) - www.fjmc.ca

Wildlife Management Advisory Committee (North Slope) - www.taiga.net/wmac

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive & accountable northern government as partners;
- national initiatives that reflect the interests of all Northerners.

Just plain fun!

Over the years, many useful and precious resources have been discovered in the NWT, such as metals, oil and gas and precious stones. Can you match each of the resources in the list below with its description and one place near where it was found in the NWT?

Diamonds

A. Holman



Silver

B. Yellowknife

Gold

C. Lac de Gras

Copper

D. Tuktoyaktuk

Natural Gas

E. Norman Wells

Oil (Petroleum)

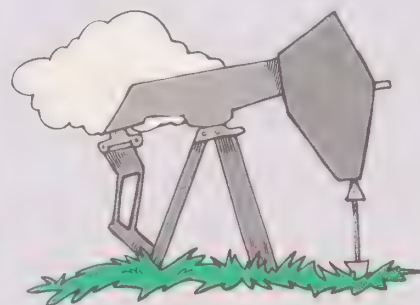
F. Mackenzie Mountains

Emeralds

H. Hay River

Lead

I. East of Great Bear Lake



1. Not only did it drive exploration in the NWT, it also motivated the conquests of Alexander the Great, the campaigns of Julius Caesar, and the voyages of Christopher Columbus.



2. The remains of microscopic marine plants and animals found deep below the ground in sedimentary rocks.
3. Since ancient times, it has been used for jewelry and money. Today it is important in the photographic and electronics industries.
4. Often found with petroleum in underground reservoirs, and transported through pipelines or is liquefied and transported by ship.
5. A dense, bluish-gray metallic element that was one of the first known metals. It is used in paint and firearm ammunition.
6. A transparent mineral that is the hardest mineral on earth. It is used in jewelry.
7. People have worked this metal into weapons and tools for 8,000 years. It is often mixed with tin or zinc to make a stronger metal (bronze or brass). Tiny amounts are present in many healthy foods, such as whole-grain wheat.
8. Flawless specimens of the perfect green color and size are exceedingly rare and command higher prices than diamonds of equal weight.

Answers: Diamonds, C, 6; Silver, I, 3; Gold, B, 1; Copper, A, 7; Natural Gas, D, 4; Oil, E, 2; Emeralds, F, 8; Lead, H, 5.

Got something to tell us?

Here's who to contact:

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Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document.



NWT PlainTalk

On Land and Self-government

Summer 2004



Photo courtesy of Tessa Macintosh

The traditional arts and crafts of the Aboriginal people of the Northwest Territories reflect a way of life that has been passed down through generations. Elder Marie Agnes Bonnetrouge of Fort Simpson is seen here beading uppers for moccasins, a traditional art which requires an attentive eye and hours of skilled work. The preservation of values, culture and heritage is an integral part of land and self-government negotiations across the NWT.

In this issue...

School of Community Government: Building capacity for a changing territory

Measuring up: School of Community Government offers Occupational Standards & Certification

Made-in-the-NWT training: A program for community government administrative assistants

Just plain fun

You were asking...

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On the web

Got something to tell us?

School of Community Government

Building capacity for a changing territory

Plain Talk usually features stories and updates on land and self-government agreements in the Northwest Territories. While these negotiations, and the agreements they produce, are critical to the future of the territory, they are just some of the many building blocks being put in place to support the political, social and economic development of the NWT.

Through land and self-government agreements, Aboriginal people are able to manage their lands and resources and implement their vision of government. To make that vision a reality on the ground, it will take hundreds of people with specialized skills and training in everything from land and water management, to finance and administration.

The governments that are recognized through these agreements will no doubt do things differently. However, many of the roles and responsibilities they will have are quite similar to those of employees and decision-makers in any community. They will often require specific skills and specialized training.

That's where the School of Community Government comes in. Since 1999, the School has been developing and delivering home grown training for NWT communities. Whether it's a workshop series to help community leaders make better decisions or a series of courses for staff in technical areas such as finance and community works, the School's programs are designed to build on existing local capacity. A goal of the School is to increase a community's ability to shape its own future by training and certifying community staff.

Elizabeth Ann McKay works with the Housing Authority in Fort Resolution. She is the School's first graduate in the Community Management Program. She recently completed 16 modules over the course of about two-and-a-half years and is a strong supporter of the program. "I had been doing a lot of the stuff in my job already, but I wasn't certified in the management field. I thought it would be a

good opportunity to be certified," she says. "You can bring a lot of these skills back to your workplace. A lot of the stuff I learned, I utilize on the job in areas like informatics and human resources."

McKay is not alone. In fact, satisfaction levels with the course instruction provided at the School of Community Government are consistently high. In the 2003/04 school year, 96% of students evaluated the course instruction as "good" or "very good".

Since 1999, the School has offered courses in the areas of political development and leadership, community management, finance, land administration, works and works management, public safety and fire protection. It has also branched out into areas of demand.

"We've expanded because we see ourselves as a cutting-edge organization

"You can bring a lot of these skills back to your workplace. A lot of the stuff I learned, I utilize on the job in areas like informatics and human resources."

- Elizabeth Ann McKay

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The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Measuring up

School of Community Government offers Occupational Standards and Certification

When a community government or organization hires new staff, they may wonder if the person has the knowledge and skills that are needed. On the other hand, employees often find it difficult to have the skills, knowledge and experience they do have recognized.

The Occupational Standards and Certification offered through the School of Community Government can help solve these problems by providing a clear path to develop and recognize the skills needed in key community government positions.

Through Occupational Standards and Certification, community government staff who can show they are competent in certain occupations can have their knowledge tested against an industry performance standard and be awarded a Certificate of Competency from the NWT's Minister of Education, Culture and Employment.

To be certified, an individual must have a set amount of experience in the position, usually two to three years. They can then complete a series of steps to evaluate their knowledge and skills before they are certified. If

they find they need more training to meet the standard, the necessary courses are available through the School of Community Government.

"Because Occupational Certification is relatively new, our biggest challenge is getting people to know about, and understand the standards and certification program," says Dave Earle, Support Services Officer with the School.

So far, Occupational Certification is available for the following occupations:

- Senior Administrative Officer
- Band Manager (First Nations Administrator)
- Housing Manager
- Assistant Housing Manager
- Finance Officer
- Tenant Relations Officer



Jayne Konisenta of Nahanni Butte and Curtis Coleman of Yellowknife attended the Community Planning course in Yellowknife in June 2002.

Photo courtesy of the School of Community Government

Occupational Standards have been developed for the positions below and certification will soon be available for those marked with a (*).

- Recreation Coordinator *
- Recreation Facility Operator *
- Community Works Foreman *
- Economic Development Officer
- Information Technologist
- Lands Administrator

Made-in-the-NWT training

A program for community government administrative assistants

The course list at the School of Community Government is growing all the time. One of the most recent additions is a program to address the needs of the men and women who keep community governments offices running: clerks, receptionists, office managers and other administrative staff.

"We carried out a needs assessment, looked at all the different jobs in community

governments and saw that there was a significant number of people in office administration roles who wanted and required training," says Sharon Morrison. Morrison is a long time Northerner who manages the Community Government Administrative Assistant program now being offered by the School of Community Government.

"The program is customized specifically for community government offices and was

designed with the assistance of community government staff," she explains.

Morrison says this program was designed with the realities of northern community governments and Aboriginal organizations in mind. "These people are generalists who do a bit of everything in their offices, that's not training they would necessarily get in a standard office training program."

To complete the training and get their certificate,

participants will need to complete six 45-hour course modules that will cover everything from office systems and computer skills, to business communications and bookkeeping.

Morrison, who is trained as an adult educator, feels strongly about keeping the program as hands-on as possible. "The hands-on teaching approach includes some theory, but much of the learning experience involves application and use of actual community government office systems," she says. She has just packed up a box of teaching materials for her first class in Inuvik and she pulls out a few teaching tools that will be introduced to students. They include address locator

systems, a complete filing system, a mail recording system, and a variety of bring-forward systems. These are models of procedures and systems administrative assistants use every day to keep routine office communications organized.

"When developing the program, we constantly focussed on the role of the administrative assistant and the structure of the community government organization. The community governments benefit by having more effective staff who are trained and feel confident

in their jobs. The employees themselves grow and feel they are contributing to their overall professional development and the goals of their organization," Morrison says.

But it's not just the organizations and students who benefit. Morrison says she will learn from the participants, too. "We provide the instruction and the format for participants to exchange ideas and best practices based on their experience in community government organizations. Learning new information about office procedures and the participant exchange of best practices is a powerful combination that greatly enriches the learning experience for everyone."

"Learning new information about office procedures and the participant exchange of best practices is a powerful combination that greatly enriches the learning experience for everyone."

- Sharon Morrison



Elizabeth Ann McKay, Assistant Housing Manager for the Fort Resolution Housing Authority, was the first graduate from the School of Community Government's Community Management Program. To her right is classmate Veryl Gruben, Housing Manager for the Tuktoyaktuk Housing Association

Community Government

Addressing needs of community governments

continued from page 1

addressing community needs and priorities, looking to the next stage, to the future of the NWT and the changing make-up of the territory. It's nice to address change," says Penny Johnson, a senior researcher with the School.

For example, the School is working with partners to develop governance training for Aboriginal organizations and to address the emerging needs of self-government. The School has worked with the federal Department of Indian Affairs and Northern Development (DIAND) and other partners to develop Occupational Standards and Certification for Band Managers and Financial Officers. They have also launched a 12-module Governance training program.

"I see good things coming out of this initiative. It's very grassroots and basic, which is what I think we should be focussing on to build stronger government systems in our communities," says Graham Baptiste, a Funding Services Officer at DIAND who has been involved with the Governance training for the past two years.

Baptiste points out that the training is not just for band councils. It is also being used by the Aboriginal corporations that manage land owned by Aboriginal groups as a result of a land claim negotiation. As Aboriginal groups in the NWT complete self-government agreements, the School can also work with them to build the capacity they need for their new government structures. He says participants don't just benefit from the training, they learn from each other by networking, sharing their successes and talking about what has worked for them.

"We are very different from an institutionalized college setting. What we offer is very specific to community and Aboriginal government realities," says Johnson. "We offer a training opportunity that doesn't otherwise exist."

Since it opened, the School has offered over 370 courses to more than 3,000 participants from community governments, Aboriginal organizations and other organizations across the NWT. Enrollment rates have risen steadily over the years, from 100 students in 1999/2000, to 887 students this past year.

The School of Community Government is part of the GNWT's Department of Municipal and Community Affairs. It delivers programs in partnership with a variety of other organizations, including other GNWT departments, the federal Department of Indian Affairs and Northern Development, the NWT Housing Corporation, Aboriginal organizations, community governments and professional associations.

To find out more, you can call **873-7919** in Yellowknife, or **toll free at 1-877-531-9194**. You can also visit the School's website at www.sofcg.org.



Participants in a road maintenance course offered recently by the School of Community Government's Works and Works Management program.

When negotiations go on the road



Photo courtesy of Tessa Macintosh

Land and self-government negotiations bring an interesting mix of people together. In the NWT, negotiations normally involve three parties: the federal government, the territorial government and the Aboriginal group.

The signing of a final agreement usually gets the most attention, but that event is the result of years of work. From the outside, negotiations may seem to move slowly, but what people don't always see are the many small steps it takes to make the pieces of a final agreement fall into place.

Much of this work gets done during negotiation sessions, when the negotiators for the three parties sit down over several days to reach agreement on the principles and the language that will form the final agreement.

These negotiation sessions usually happen once a month over the course of several years. During the life of a negotiation, this can amount to literally hundreds of days of meetings in communities across the NWT and elsewhere in Canada. It also means the negotiation teams spend thousands of hours "on the road" getting to and from negotiations.

Often, travelling to a region of the NWT is an education in itself for people coming from Ottawa or Yellowknife. Negotiating teams get to see first hand the challenges that people in the region face on a daily basis. Planes need to be chartered, ice roads are subject to freeze-up and break-up, accommodations are limited, the weather is unpredictable and services we take for granted in larger centers are not always easy to access.

At a Beaufort-Delta Self-Government negotiation session in Tuktoyaktuk this

year, a blizzard swept in, closing the ice road and leaving the negotiations teams "stuck in Tuk". To most people down south, that would be quite frustrating, but to residents of Tuk, it's just a part of life.

Sharing sleeping quarters and washrooms is common for the visiting negotiating teams when they are in small communities. Although it is less convenient than your standard hotel, it builds a sense of camaraderie that one wouldn't normally expect to see in a negotiation situation. In NWT communities, the people sitting across from you at the negotiation table hashing out tough issues during the day are the same people you will be sitting across from at the dinner table that night.

This is the human side of a negotiator's job that people do not normally see. Despite the hours they spend discussing technical issues, such as "fiscal financing arrangements" and "surface and sub-surface rights", their experiences go beyond the negotiation table and are not so far removed from the realities of everyday life in the communities.

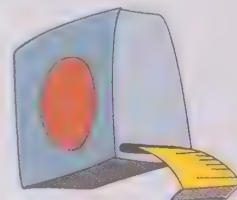
Negotiators can relate to driving on ice roads and questioning whether the "open" sign is accurate or not. They have experienced that uneasy feeling at hearing that a blizzard is expected to arrive the same time their flight is scheduled to depart. They too have seen the indescribable beauty of the land and experienced the easy hospitality of the people in the communities at the centre of negotiations. It all contributes to their understanding of the importance of what it is they are negotiating and how the agreements they reach will affect the people and communities of the NWT.

Just plain fun!

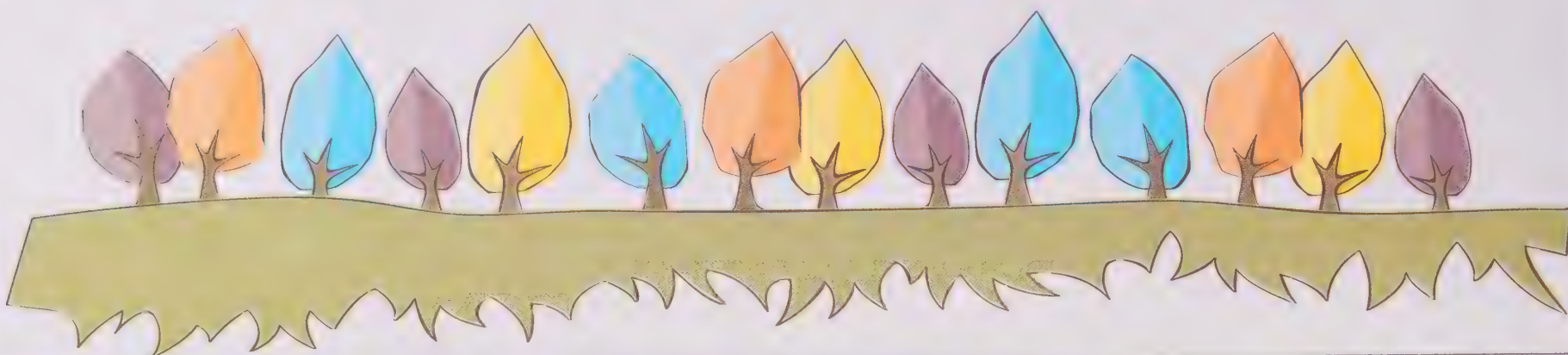


If you read *Plain Talk* regularly, you've probably learned a few things about land and self-government negotiations and other interesting NWT facts. At *Plain Talk*, we know there is always more to learn, so we've put together a little game to test your knowledge. It will also give you a taste of the Department of Indian Affairs and Northern Development's Youthbuzz website. In fact, you'll have to go to that site to check your answers to the questions. It's easy, just go to "Fun & Games" at <http://nwt-tno.inac-ainc.gc.ca/youthbuzz> and see how you did.

1. What is a Land Claim?
2. The traditional name for Fort Simpson is Liidlii Kue. What does it mean?
3. Name the two very important historical treaties that were signed between the Government of Canada and the First Nations in the NWT?
4. What two kinds of boats did the Inuvialuit use for hunting and transportation?
5. How many square kilometres is the NWT?
6. Great Slave Lake is the second largest lake in Canada. How many swimming pools can the water in it fill?
7. What is the population of the Northwest Territories?
8. Name the main four ingredients used to make bannock?



In fact, if you get all the right answers to all eight questions, you could win a prize. Just send us your answers by email by going to the "Contact Us" section of the Youthbuzz website <http://nwt-tno.inac-ainc.gc.ca/youthbuzz>. Good luck!



You were asking...

Q. Why are there Treaty Days each summer and why does Canada continue to make Treaty Payments of five dollars to each First Nation person in the NWT?

A. "Treaty Days" stem from two historical treaties that were signed between First Nations and the Crown in the NWT. Treaty 8 was signed during the summers of 1899 and 1900; and Treaty 11 was signed in the summer of 1921. Each year since then, around the same time as the original treaties were signed, "Treaty Days" are held. This annual celebration shows respect and recognition of the treaties and the special relationship that exists between First Nations people and the Government of Canada. It is the tradition at these events that First Nation members receive an annual cash payment from the Government of Canada. The amount of the payment is the same amount received when the Treaty was signed. For Treaty 8 and 11, each person receives five dollars.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below

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- northern control over northern resources;
- responsive and accountable northern government as partners; and national initiatives that reflect the interests of all Northerners.

On the web

Visit the following for more information:

Government of Canada programs and services

Government of Canada site:
www.gc.ca

DIAND

Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Agreements

Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web

Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html

Got something to tell us?

Here's who to contact:

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Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document



NWT

Plain

Talk

On Land and
Self-government

Spring 2004



Photo courtesy of Robert Redshaw

There are a number of ways for a community to access benefits related to resource activities in the Mackenzie Valley. The Department of Indian Affairs and Northern Development (DIAND) has developed some tools to help people understand the different kinds of plans and agreements that may apply. Read the story below to find out more.

Plain Talk on how communities can benefit from Resource Development Activities

There are a number of ways for a community to access benefits related to resource activities in the Mackenzie Valley. The difficulty can be in understanding which plan or agreement applies to a certain project because there are a number of separate and distinct tools that can be used. For example, some are legislated, others are not. Some fall under the responsibility of the Department of Indian Affairs and Northern Development (DIAND), others come under the Government of the Northwest Territories (GNWT) and others are between the company and the community. Some agreements and plans are intended for mining related activities while others are used for oil and gas activities. This feature of *Plain Talk* is meant to help readers understand what the different kinds of plans and agreements are and how they work.

A **Benefits Plan** describes employment and business opportunities resulting from the proposed resource activity and outlines how the company will address them. It involves the company in consultation with the community and applies to oil and gas exploration and development activities, and to pipeline development solely within the NWT. A benefits plan is legislated under the *Canada Oil and Gas Operations*

Act and requires the DIAND Minister's approval. For more information, contact the Petroleum Development Division of DIAND at (867) 669-2618.

A contractual agreement between a company and affected Aboriginal organizations that are landowners and control access to lands is called an **Access Agreement**. This agreement outlines terms and conditions, including financial arrangements, for access on or through land with Aboriginal interest. Access Agreements may also include details on benefits. In some areas these agreements are legislated under land claims and in other areas they are voluntary agreements between groups. For more information, contact your regional land claim or Aboriginal organization.

A **Socio-Economic Agreement** is also a contractual agreement that deals with commitments for employment, training and business opportunities and includes commitments with respect to community and cultural well-being. This type of agreement is negotiated between the company and the territorial government and focuses on impacted communities. It is generally only negotiated for large scale development projects. Socio-economic agreements are not legislated, though they are an increasingly expected practice.

For more information, contact the Industrial Initiatives Division of Resources, Wildlife and Economic Development (RWED), GNWT at (867) 873-8691, and/or your local RWED office.

An **Impact Benefits Agreement** is a contractual agreement that is confidential and generally covers cash payments, scholarships, as well as employment, training and business opportunities. This is negotiated between the company and affected Aboriginal organizations as specified in land claims or other processes. Typically, an impact benefits agreement applies to mining activities at the development stage, though it has also been negotiated at the production stage. It may be called a "participation agreement" as is the case with the Diavik Diamond Mine. For more information, contact the Mineral Development Division of DIAND at (867) 669-2571, or your regional land claim or Aboriginal organization.

To help spread the word about these different plans and agreements, DIAND has created a **poster and postcard** explaining them. To get a copy, please contact DIAND's Communications, Marketing and Consultation Directorate at (867) 660-2576.

In this issue...

Plain Talk on how communities can benefit from Resource Development Activities

The latest buzz on the Net...a site for students and teachers

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Canada

The latest buzz on the Net...

Youth Buzz



If you are a student working on a project about the people, the land or the water of the Northwest Territories, there is a website that is perfect for you! If you are a teacher, you'll find plenty of ideas for your classroom there too.

The site is called Youth Buzz and it was created by the NWT Regional office of the Department of Indian Affairs and Northern Development (DIAND) especially for students and teachers in the NWT. Been there and didn't find what you needed, you say? Look again! Youth Buzz now features a brand new look and loads of new content.

Youth Buzz has lots of easy-to-find and easy-to-read information about the NWT, including what DIAND is doing to make the North a better place for Aboriginal people and all Northerners.

But that's not all! Youth Buzz is also a great source of information about the many distinct cultures and traditions of Northern aboriginal peoples. Find out about land claims, self-government, the meanings of traditional community names, and over 70 ways that caribou are used!

Are you concerned about the health of the land and water in the NWT? In "Taking Care of the Environment" you will learn about the problem of environmental contaminants, and what is being done about it. Be sure to check out the fact sheets that explain how contaminants affect our wildlife and traditional country foods.

Teachers can even print out the whole set to use in class!

<http://nwt-tno.inac->



Teachers will also like the resource called "Take the Plunge". It's a curriculum developed to meet the need for northern-based high school science materials on the subject of water. It is divided into seven units that tie into curriculum themes taught in NWT Secondary School science and biology classes. Each unit provides teachers with background information, key words and concepts, required knowledge, activity instructions, materials/prop list, evaluation suggestions, additional resources or information on the subject, and extension activities. It's like a tidal wave of information at your finger tips!



Working with Aboriginal People

Many Uses for Caribou

Caribou are small, elk-like animals, which can be found above the tree line in arctic North America and Greenland. Because they can live on tundra in the winter, they are well adapted for the harsh arctic tundra where they migrate great distances each year. Caribou cows and bulls both grow distinctive antlers and rump antlers can reach 4 feet in width! A caribou calf can run within 30 minutes of its birth. It must do this to keep up with the migrating herd.

The Northwest Territories Aboriginal people used all parts of the caribou for many purposes:

hide	- containers, clothing, ropes, moosehide, drums, spurs, masks, blankets, snowshoes, needles, tapes
hair	- pillows, ropes, ornaments, hair pieces, braids, medicine balls, doll stuffing
bones	- pipes, knives, arrowheads, splints, sleds, war clubs, scrapers, awls
horns	- arrow points, cups, fire carrier, spoons, ladles, toys
stomach linings	- meat wrappings, cups, basins, canisters, containers
tail	- medicine, switch, fly brush, decorations, whips, toys
fat	- soap, hair grease, cosmetics, cooking, medicines
skull	- masks, medicine, prayers, rituals
muscles	- glue, thread, arrow ties, cinches, bow strings
hooves, feet	- glue, rattles, decorations, spoons
bladder	- pouches, bags, medicine
dried dung	- fuel, diaper powder
teeth	- ornamentation
tongue	- comb, choice food
brain and liver	- hide preparation, tanning
tendons	- sewing, bow strings
hind leg skin	- pre-shaped moosehide

Check out Youth Buzz and we will send you a cool carabiner with a high-powered mini flashlight! Just go to the "Contact Us" section, and use our email link. Tell us what you think of Youth Buzz and be sure to include your name and mailing address!

Just Plain Fun

Stories are an important part of the culture of the Northwest Territories. Some stories teach us things about history, people and nature. Other stories are just fun to read. If you have a story to tell or an opinion to express, the Youth Buzz website gives you a chance to share it with others. Send your poetry, stories or drawings to Youth Buzz. They will be reviewed and posted for others to read and enjoy. Who knows, this may be the start to your writing career! Visit the Youth Buzz site and find out more.

Here is one story that is already on the site... we'd like to add yours to the list!

The Magic of the North by Shoshanna

Once upon a time, there was a little boy named Max who lived in the North with his family. One day his parents died so he went to live with his grandfather. They had lots of fun together. One day his grandfather wanted to go camping in an igloo. Max was not sure that his grandfather was young enough for that sort of thing.

They set out on their adventure.

They began to build the igloo in the middle of the forest. Two hours later, Max's grandfather said he wanted to get some wood to make a fire. Max decided he would go with him and they set off to search for wood. Two hours later, his grandfather had a heart attack. Max did not know what to do. He thought about

what he should do and then decided he needed to go and get help. He took his grandfather and everything they had brought and began to walk. He walked in the cold, deep snow.

Five hours later, Max was tired, but he heard a voice behind him. He turned around and saw a spirit in the form of a woman. She told him that she was the Queen of the North and that she helped people in trouble. She asked him, "How can I help you?" Max explained that his grandfather had had a heart attack and asked the Queen if she could help him. She said "Yes" and began to recite magic words.

One minute later, Max's grandfather regained consciousness and asked what had happened. Max said to him, "This lady right here woke you up." Max's grandfather asked, "What lady?" Max turned around to see she had disappeared.

Later that week, Max and his grandfather returned home and ate a great big supper.



There are more facts, games and activities on DIAND's Youth Buzz
<http://nwt.inac.gc.ca/youthbuzz>

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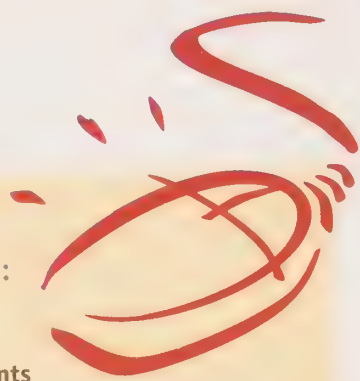
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DIAND
Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Various claims agreements
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html



You were asking...

Q. What is a settlement area?

A. Each land claim agreement defines a settlement area for the particular Aboriginal group involved. This area includes the main area where the Aboriginal group traditionally lived and pursued their livelihood. Under the Final Agreement, certain lands known as "settlement lands", which generally are portions of the settlement area, are owned by the Aboriginal group. Some rights and benefits defined by the Final Agreement, such as rights to hunt and fish, or the right to be consulted on exploration and development, may extend to the whole settlement area.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact the address listed below.

Got something to tell us?

Here's who to contact:

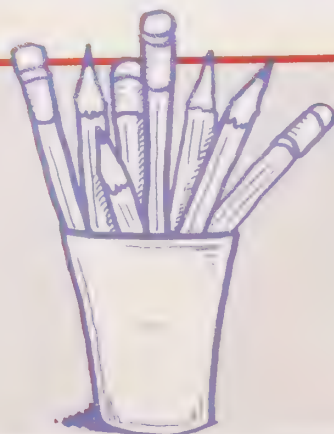
Roxane Poulin or Melissa Yu
DIAND Communications
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Phone: (867) 669-2576 Fax: (867) 669-2715
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yu@inac.gc.ca

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Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord Canada

NWT PlainTalk

On Land and
Self-government

Spring 2003

Threads of History

Gwich'in seamstresses bring ancient craft to life

It took three years and 40 skilled seamstresses to bring back a part of Gwich'in heritage that hasn't been seen in Gwich'in communities for over a century. In March, five replicas of a traditional Gwich'in men's summer caribou outfit were unveiled at the Prince of Wales Northern Heritage Centre in Yellowknife. The Gwich'in Cultural and Social Institute partnered with the Heritage Centre to begin the Gwich'in Traditional Clothing Project in 1999 to revive interest in an ancient craft. Their work is a reminder of the ingenuity, patience and skill of the Gwich'in people who have always used the raw materials of the land. Modelled after an original outfit preserved in the Canadian Museum of Civilization in Ottawa, the seamstresses created one outfit for display in each of the Gwich'in communities and at the museum in Yellowknife. Each is a work of striking beauty and impressive functionality. Sinew, porcupine quills, trade beads, silverberry seeds, and the red stain of ochre embellish the clothing in intricate patterns.



Susan Beaumont/DIAND

A time to celebrate and to look forward Making history in the NWT

Progress on land and self-government negotiations is usually measured not in weeks or months, but years. The issues are often complex and it can take many, many discussions to come to agreement on just one point. This is why each milestone along the path to a final agreement is an achievement to be recognized and celebrated.

Recently, there was cause for such celebration on two occasions in the NWT. The Minister of Indian and Northern Affairs, Robert D. Nault, joined with Aboriginal and territorial leaders to celebrate the signing of the Gwich'in and Inuvialuit Self-Government Agreement-in-Principle for the Beaufort-Delta Region and the Deh Cho First Nations Interim Resource Development Agreement.

Both events were marked by solemnity and celebration, not only because they were the culmination of many hours of negotiations, but also because they bring

the parties involved one step closer to a final agreement.

"Self-government will return decision-making to the Beaufort-Delta Region. The Gwich'in, the Inuvialuit, and other Beaufort-Delta residents, will be able to draw from the past while looking toward the future," said Fred Carmichael, President of the Gwich'in Tribal Council.

Even as they celebrated their achievement, many of the people involved in these two ceremonies were already talking about the future and focusing on the road ahead.

"This year will also mark our move into phase two, the actual start of negotiations toward an Agreement-in-Principle and a Final Agreement. In the vision of our ancestors, we will continue to walk the path of governments, the journey of trust and mutual respect of negotiations," said the Grand Chief of the Deh Cho First Nations, Michael Nadli.

In fact, no one is content to rest on the success of these agreements. The next phase of negotiations has already begun at both negotiating tables, with ambitious schedules in place for the coming year.

In the Beaufort-Delta Region, the Gwich'in, Inuvialuit, Canada and the Government of the NWT are now focusing on building a final self-government agreement from the foundation of the Agreement-in-Principle. In the Deh Cho, negotiations will now focus on reaching a "general Agreement-in-Principle" in the next 12 months. This agreement will lay out the parameters for the negotiation of a more detailed Agreement-in-Principle in the next three to four years.

Everyone recognizes that a lot of hard work remains before these negotiations are concluded and that many challenges still lie ahead, but there is no doubt that it felt good to celebrate!

See page 2 for more information about these agreements and photos of the signing ceremonies.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

In this issue...

Threads of History:
Gwich'in seamstresses
bring ancient craft to life

A time to celebrate and
to look forward: Making
history in the NWT

Gwich'in and Inuvialuit:
Returning decision-making
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The Negotiation Process

Deh Cho: Interim
agreements balance
economic development
with land protection

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Canada

Gwich'in and Inuvialuit: Returning decision-making to the Beaufort-Delta

April 16, 2003 – Inuvik



A procession opened the ceremony in Inuvik. Dignitaries were escorted to the stage by Gwich'in and Inuvialuit youth and Elders carrying the flags of the four signatory parties.



Minister Nault practices his jigging with one of the East Three Reelers, a traditional Gwich'in dance troupe that opened the signing ceremony. The Minister also picked up a few new dance steps later on from the Inuvialuit dancers who closed the ceremony.



Media interest in the historic signing of the Gwich'in and Inuvialuit Self-government Agreement was high. Shown here are Fred Carmichael, Nellie Cournoyea and Premier Kakfiwi taking questions after the signing.

What happened?

The Gwich'in and Inuvialuit Self-Government Agreement-in-Principle (AIP) for the Beaufort-Delta Region was signed by Fred Carmichael, President of the Gwich'in Tribal Council, Nellie Cournoyea, Chairperson and Chief Executive Officer of the Inuvialuit Regional Corporation, Robert D. Nault, federal Minister of Indian and Northern Affairs, and Stephen Kakfiwi, Premier of the Northwest Territories.

"With the fulfillment of this agreement, the Inuvialuit and the Gwich'in will once again become self-governing people, and will be able to protect, in law, those things that make us unique – our languages and our cultures. But it's about more than just protecting language and culture. It's about reflecting our values and traditional ways of doing things into government decision-making." – Nellie Cournoyea, Chairperson and Chief Executive Officer of the Inuvialuit Regional Corporation

What does it mean?

This AIP establishes a basis for a Final Self-Government Agreement that will give greater decision-making powers to the Gwich'in and the Inuvialuit, and to all residents of the Beaufort-Delta Region. It describes a new government system for the region that would include a public Regional Government, a Gwich'in Government, an Inuvialuit Government and public community governments.

Each government would have its own set of clearly defined responsibilities, but would also work with the other governments. Guaranteed representation for Gwich'in and Inuvialuit on public governments would allow the Gwich'in and Inuvialuit to play an important role in charting the future direction of the region. In addition, through the Gwich'in and Inuvialuit governments, they would have a greater ability to preserve and promote their languages and cultures.

"It was not possible for many of us to envision how [two peoples] scattered across such a huge area, so diverse culturally, geographically, politically could come together to make an agreement on how to govern and yet today, we see it was very possible." – Premier Stephen Kakfiwi

The AIP provides for law-making and administrative powers. It contains 29 chapters, covering subjects such as culture and language, education, out-of-school care, local government operations, training, health care, income support, child and family services and adoption.

Negotiations will now focus on reaching a Final Self-Government Agreement. Work is also underway in Beaufort-Delta communities to prepare for self-government. Over the past year, Beaufort-Delta residents have been participating in community workshops on community constitution development, priorities, planning, organizational development and finance.

"This moment signifies so much of who the Gwich'in and Inuvialuit are – how they have lived and indeed, how they have thrived and managed on their lands for so many centuries, meeting different phases of their history and the changes with such endurance and courage and steadfast determination. This is a culmination of who you are as a people a success story of monumental proportions." – MP Ethel Blondin-Andrew

What if I want to know more?

Visit the Beaufort-Delta Self-Government Office website at www.selfgov.org or contact Susan Beaumont at (867) 669-2578.



Land and self-government negotiations usually involve three groups, often referred to as "parties": the Government of Canada, the Government of the Northwest Territories, and one or more Aboriginal groups. Each negotiation is unique, and reflects the needs, desires and processes of the parties at the table. However, most negotiations involve a series of distinct steps, as follows.

Submission of claim: The Aboriginal group prepares a description of its claim that identifies the general geographic area of its traditional territory.

Acceptance of claim: The Government of Canada reviews the claim and informs the Aboriginal group whether or not it is prepared to open negotiations. If the answer is no, reasons are provided in writing. If the answer is yes, the process proceeds to the next step.

Framework Agreement: At the first stage of negotiation, the parties agree on what issues will be discussed and how they will be discussed. They also agree on time lines for reaching an Agreement-in-Principle.

Interim Measures Agreement: Early in negotiations, the parties establish temporary measures that will apply in the territory that is subject to negotiations while the

Deh Cho:

Interim agreements balance economic development with land protection

April 17, 2003 – Fort Providence

What happened?

The Grand Chief of the Deh Cho First Nations, Michael Nadli, and the federal Minister of Indian and Northern Affairs, Robert D. Nault, signed an Interim Resource Development Agreement and confirmed the interim land withdrawals that will soon be in effect for the Deh Cho territory.

"Our treaty relationship is becoming closer and more trusting, something that we can all be very proud of." – Minister Nault at the signing of the Interim Resource Development Agreement

What does it mean?

These interim agreements provide clear guidance on where and how development can proceed in the Deh Cho territory and give the Deh Cho First Nations a unique opportunity to benefit from resource royalties while they negotiate towards a final agreement.

Interim Resource Development Agreement:

The Government of Canada will set aside an amount equal to 12.25% of the first \$2 million it collects in resource royalties from the Mackenzie Valley each year and 2.45% of any additional royalties. The Deh Cho will be able to access up to half that money for economic development right away and the rest will be paid out at final agreement. The Government of Canada and the Deh Cho First Nations also commit to initiating a cycle for issuing oil and gas exploration licences within one year and every two years thereafter (in accordance with existing oil and gas legislation and regulations). Requirements for community consultation and impact benefit agreements for major mining projects are also included in the agreement.

"We have conducted our negotiations in good faith in partnership with governments. We have achieved these unprecedented agreements with creativity, innovation and flexibility and based on our common ground principles that we developed in 1999."

– Deh Cho Grand Chief Michael Nadli

Deh Cho Interim Land Withdrawal:

An arrangement that will protect approximately 70,000 km², or 34% of the Deh Cho territory from new development for a period of five years, while leaving other lands open for development in accordance with existing legislation, regulations and agreements. Some of the withdrawn areas will be off limits to all types of new development (surface and sub-surface withdrawal), while other areas will be open to surface development only (e.g. forestry). Existing interests such as leases and registered mineral claims will not be affected. People will still be able to access and travel across withdrawn lands.

With these interim measures in place, the negotiations will now focus on reaching a general Agreement-in-Principle.

"I can't help but think of the Elders that are no longer here with us... There have been a lot of people who have worked to get us to where we are at this point.... There have been a lot of leaders who have striven, that have talked about the future."

– Senator Nick Sibbeston

What if I want to know more?

Visit Canada's new website on the Deh Cho Process at www.ainc-inac.gc.ca/dehcho or contact Roxane Poulin at (867) 669-2580.



Before beginning the signing ceremony, community members and guests offered thanks by feeding the fire at the arbour near the Deh Gáh school in Fort Providence. Shown here are Elder Willie Minoza and Greg Nyuli.

Clayton Balsillie/DIAND



Students of the Deh Gáh school in Fort Providence entertain the crowd with a hand game demonstration.

Roxane Poulin/DIAND



Grand Chief Nadli helps Minister Nault try on a jacket made of caribou hide, a gift from the Deh Cho First Nations to commemorate the historic day. The Minister offered the Grand Chief a painting by James Wedzin.

Roxane Poulin/DIAND

negotiations are taking place. These agreements can include measures such as interim land withdrawals, pre-screening processes for land, water and resource management decisions, and other measures.

Agreement-in-Principle: In this stage, the parties negotiate the issues set out in the Framework Agreement. Reaching an Agreement-in-Principle (commonly called an 'AIP') often takes longer than any other stage in the negotiation process. The AIP should contain all the major elements of the eventual Final Agreement.

Final Agreement: A Final Agreement is the outcome of successful land claim and self-government negotiations. It details agreements reached between the Aboriginal group, the Government of Canada and the Government of the Northwest Territories on all issues at hand, including resources, self-government, financial benefits, and land ownership. A Final Agreement must be ratified by all parties.

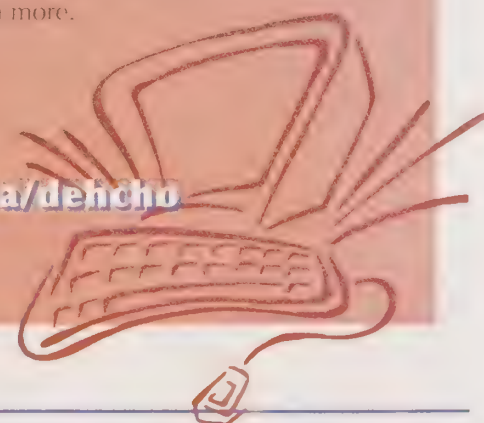
Implementation: A process is put in place to ensure that what the parties agreed to, is, in fact, done. The implementation plan is monitored and managed by a tripartite committee.

Do you have questions about the Deh Cho Process?

To read negotiation documents for yourself, or keep up with the latest developments, visit the Government of Canada's new Deh Cho Process website. You'll find background information, documents, maps, photos and much more.

Check it out at:

www.ainc-inac.gc.ca/dehcho



Just Plain Fun

Land and self-government negotiations are serious stuff, but there is always room for a little fun. That's what this section of *Plain Talk* is all about! This is where you get to have some fun and test your knowledge.

Unscramble the letters on the right to find the answer to the question on the left. If you are having trouble, you can go back to the stories, photos and quotes in this edition of *Plain Talk* because the answers are somewhere in these four pages. Find out how you did by checking the answers provided under the puzzle... but try not to peek!

1. Person who sews clothing
2. Place where the Gwich'in and Inuvialuit Self-Government Agreement-in-Principle was signed
3. Type of berry used to decorate the outfits on page 1
4. Federal Minister who recently visited the NWT
5. Chairperson and Chief Executive Officer of the Inuvialuit Regional Corporation
6. Word used for some agreements that means "temporary"
7. A place where a fire-feeding ceremony might take place
8. One of the chapters in the Gwich'in and Inuvialuit Self-Government deals with this subject
9. Place where the Interim Resource Development was signed
10. An agreement signed at the start of negotiations that says what issues will be discussed and how
11. After the final agreement, this happens to make sure what the parties agreed to is done
12. Senator who attended the ceremony in Fort Providence
13. Member of Parliament for the Western Arctic
14. A person from whom we are descended

SMSEAESRST ●●●●●●●●●●

NIKUIV ●●●●●●

YBLEESIRYBR ●●●●●●●●●●

UNTLA ●●●●●

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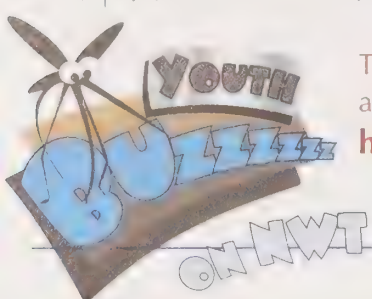
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INTESBSNO ●●●●●●●●●●

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ONESTCA ●●●●●●●●●●



There are more facts, games and activities on DIAND's Youth Buzz
<http://nwt.inac.gc.ca/youthbuzz>

- ANSWERS
1. SEAMSTRESS
 2. INUVIK
 3. SILVERBERRY
 4. NAULT
 5. COURNOYEA
 6. INTERIM
 7. ARBOUR
 8. EDUCATION
 9. FORT PROVIDENCE
 10. FRAMEWORK
 11. IMPLEMENTATION
 12. SIBBESTON
 13. BLONDIN-ANDREW
 14. ANCESTOR

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

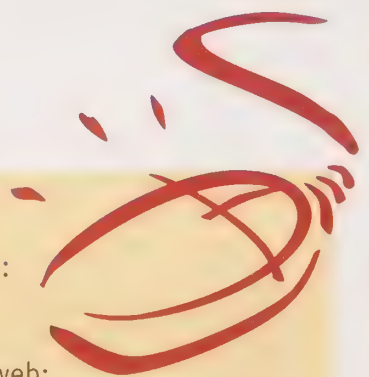
On the web

Visit the following for more information:

Government of Canada programs and services:
Government of Canada issues page:
www.gc.ca

Various claims agreements:
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web:
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html



Got something to tell us?

Here's who to contact:

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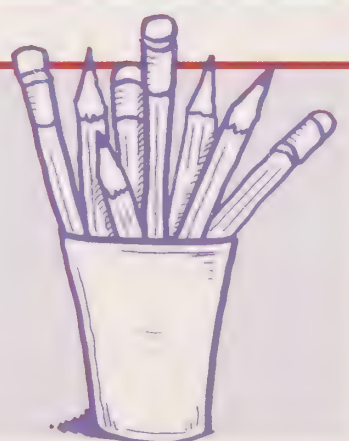
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Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document.



NWT Plain Talk

On Land and Self-government

Fall 2003



After the Tłıchǫ Agreement was signed, the Prime Minister joined in a circle dance with other guests, including Tłıchǫ Elder Alexis Arrowmaker on the left and Grand Chief Joe Rabesca on the right.

"Today, with this agreement, we are strengthening Canada's federation. We are committing ourselves to a new North, one that represents the vision and the spirit of the people who live here."

– Prime Minister Jean Chrétien

In this issue...

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- Tłıchǫ Agreement map
- AT A GLANCE: What's in the Tłıchǫ Agreement?
- Feast and dance mark signing of DeJoo Agreement-in-Principle
- HWTHN interim measures pre-screening processes
- Just Plain Fun
- You Were Asking...
- Our Vision
- On the Web
- Got something to tell us?

Tłıchǫ Agreement "represents what is best about Canada"

Once again, the Northwest Territories has been the site of history in the making. This time, the eyes of the world were on the community of Rae-Edzo and the achievement of the Tłıchǫ people.

On Monday, August 25, hundreds of people gathered in Rae from all over the territory and the country to witness and celebrate the signing of the territory's first ever combined land claim and self government agreement. This means that, for the first time, an Aboriginal group in the Northwest Territories will be in a position to own lands and be the primary government on those lands.

It was an event worthy not only of national media attention in Canada, but one that attracted interest from media as far away as the United States, the United Kingdom and Germany.

In what seems to have become a tradition in the North, Aboriginal groups are leading

the way in working with other levels of government to define and implement their land and self-government aspirations.

"This agreement will serve as a model for other indigenous communities in Canada and in other countries; a model for implementing self government. The agreement defines rights and shows the world how diversity creates strength and how partnership builds success," said Prime Minister Jean Chrétien, who made the trip to Rae to join the celebration.

"This is unique to Canada. Nowhere else in the world is anyone attempting to combine three levels of government federal, territorial and Aboriginal. In Canada, we believe in treaty and Aboriginal rights, that there is another level of government that is constitutionally protected," added Canada's Minister of Indian Affairs and Northern Development, Robert D. Nault.

Want to know more about the Tłıchǫ Agreement?

Visit the following web sites:

www.aifnc-inac.gc.ca

www.tlicho.com

www.maa.gov.nt.ca



See pages 2 and 3 for more information about The Tłıchǫ Agreement and photos of the signing ceremony.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Tłıchǫ signing steeped in history

The signing of the Tłıchǫ Agreement is a significant accomplishment for Tłıchǫ (Dogrib) people, a landmark in a long journey. The ceremony in Rae incorporated many reminders of this history.

This signing closely coincided with the **82nd anniversary of Treaty 11**, signed on August 22, 1921.

In 1968, Jean Chrétien, then Minister of Indian Affairs, met with Dogrib Chief Jimmy Bruneau in Rae. They discussed the future of the Dogrib people and Canada's role in that future. It was the first significant meeting between the Dogrib and the Government of Canada since the signing of Treaty 11. The Tłıchǫ people still view this meeting as a milestone in their history, representing the beginning of their modern relationship with government. Mr. Chrétien also attended the opening of the Chief Jimmy Bruneau School in 1972.

Alexis Arrowmaker was a child at the time of the Treaty 11 signing. He was also present for the Tłıchǫ Agreement celebration, this time taking his place as an honoured Tłıchǫ Elder. He opened the ceremony with a prayer. Mr. Arrowmaker's life has been intimately connected to the Tłıchǫ people's journey to define their place in the NWT. He is a former Chief of Rae-Edzo (1971-76) and remains one of the Council advisors.

Jimmy Martin, a direct descendant of Chief Monfwi, who signed Treaty 11, delivered the closing prayer.

The Government of Canada offered **specialty-crafted medallions** to commemorate this milestone in an evolving relationship. Reminiscent of the Treaty medallions Canada presented in 1921, they featured an image of then-minister Jean Chrétien and Chief Jimmy Bruneau when they met in 1972, shook hands and launched the journey towards a new, modern relationship between Canada and the Tłıchǫ people. Medallions were presented to Prime Minister Chrétien, Grand Chief Rabesca, the chief of each of the Tłıchǫ communities, the members of the Tłıchǫ elders council, Premier Kakfwi and Minister Jim Antoine. They mark an achievement rooted in years of hard work, cooperation, compromise... and a very important handshake.



Image courtesy of Dogrib Treaty 11 Council



Four Tłıchǫ communities opened the ceremony with prayer drumming.



The Prime Minister was photographed with the Tłıchǫ Elders' Advisory Committee (from left to right) Joe Migwi, Alexis Arrowmaker, Harry Simpson and Jimmy Rabesca as the chiefs of the four Tłıchǫ communities looked on.



The celebration continued after the signing ceremony with more drumming and dancing.



Tłıchǫ Agreement map

The Tłıchǫ Agreement has provisions relating to four geographic areas. The largest area is **Mqwhi Gogha Dè Njıłłèè**, which is the traditional use area of the Tłıchǫ. In this area, the Tłıchǫ will be able to exercise most of the rights set out in the Agreement and all four of the Tłıchǫ communities fall within this area.

The second area is a resource management area, called **Wek'èezhıı**. Most of this area is within **Mqwhi Gogha Dè Njıłłèè**. It is bordered by land claims settlement areas and traditional areas of neighbouring Aboriginal groups.

The third geographic area is called **Tłıchǫ Lands**. These are the lands that the Tłıchǫ will own.

A fourth geographic area is **Ezqdzıti**, an area of historical and cultural importance to the Tłıchǫ. The Tłıchǫ do not own this land or have any additional harvesting or management rights on it. However, the area has been protected in the interest of preserving its historical and cultural importance to the Tłıchǫ people.



“Strong like two people”

The legacy of Elizabeth Mackenzie

The Tłıchǫ Agreement was signed at Elizabeth Mackenzie School, named in honour of a woman who worked to combine Tłıchǫ tradition and culture and elements of mainstream Canadian cultures in her teaching. Tłıchǫ people remember what Mackenzie said about the first written policy on Indian education in 1972: “So if children are taught in two cultures equally, they will be strong like two people what the old Chief [Jimmy Bruneau] talked about is for some good time in the future he looked far ahead for us, and we gain from it.” “Strong like two people” remains a key part of the Tłıchǫ vision and approach.



Roxane Poulin/DIAND

NWTMN interim measures pre-screening process

As part of the Interim Measures Agreement they signed in June 2002, the Northwest Territory Métis Nation (NWTMN), the Government of Canada and the Government of the Northwest Territories have established pre-screening processes that will allow the NWTMN to review applications for various licences, permits, and dispositions of lands within the agreement area. This is done through “schedules” which specify how the federal and territorial government and/or regulatory bodies (such as the Mackenzie Valley Land and Water Board) will provide information to the NWTMN and how the NWTMN will provide its input into each process. Shown here from left to right are George Kurszewski, negotiator for the NWTMN, Eric Maldoff, Chief Federal Negotiator, and Tim O’Loan, former negotiator for the Government of the Northwest Territories. Five schedules have been completed to date on the following subjects: Land Use Permits; Water Licences; Surface Federal Crown Lands; National Parks and Protected Areas; and Territorial Parks.

Feast and dance mark signing of Déline Self-Government Agreement-in-Principle

The community of Déline, on the shores of Great Bear Lake, has taken another big step towards self-government.

On August 23rd, Raymond Tutcho, chief of the Déline Dene Band and John Tutcho, president of the Déline Land Corporation welcomed representatives of the governments of Canada and the Northwest Territories to their community to sign the Déline Self-Government Agreement-in-Principle (AIP). People present for the signing celebrated with a delicious feast and a drum dance.

Déline is the first Sahtu community to participate in self-government negotiations under the Sahtu Dene and Métis Comprehensive Land Claim, which was signed in 1993. That agreement gave each community in the Sahtu the option to negotiate its own self-government agreement.

The federal Minister of Indian Affairs and Northern Development, Robert D. Nault, signed the AIP on behalf of the Government of Canada and remarked on its significance: “Building on their land claim agreement,

self-government will allow the people of Déline to chart their own course. The Government of Canada believes that a strong, self sufficient government is key to the quality of life of its residents.”

Self-government will help the people of Déline maintain their strong sense of spirituality and close ties to the land. It will also allow them to take more control over their economic future. The Déline Self-Government Agreement-in-Principle is the first to describe how an Aboriginal public government would work in the Sahtu Settlement Area. This new system of government will be known as the Déline First Nation Government (DFNG), and it will be composed of an ǂEhkw’atidé (Government Leader), a Main Council, a Justice Council and Elders Council.

The AIP provides for the DFNG to have law-making powers over the administration, management and operation of its government structures, as well as elections, Déline First Nation citizenship, education and training, local services, adoption, child and family services, social housing, income support, language, culture and

AT A GLANCE: What’s in the Tłıchǫ Agreement?

LAND: The Tłıchǫ Government will own approximately 39,000 square kilometres of land in a block that links the four Tłıchǫ communities of Behchokò (Rae-Edzo), Whatı (Lac la Martre), Gamètı (Rae Lakes), and Wekweètı (Snare Lake). That’s roughly 3% of the land mass in the Northwest Territories and represents an area slightly smaller than Switzerland.

FINANCIAL: The Tłıchǫ Government will receive about \$152 million over a number of years as well as a share of resource royalties received by government annually from the Mackenzie Valley.

RESOURCE MANAGEMENT: The Tłıchǫ Agreement describes the traditional area of the Tłıchǫ (Mqwhı Gogha Dè Nııłtèè), and a resource management area (Wek’èezhıı) where the Tłıchǫ will share in land, water and resource management through participation on boards. A board will be established to manage wildlife in Wek’èezhıı and another board will be established to regulate land and water use in Wek’èezhıı.

GOVERNMENT:The Tłıchǫ Government will be created and replace existing band structures. It will have the ability to make laws in a wide range of areas on Tłıchǫ lands and over Tłıchǫ Citizens. There will, however, be some types of laws that the Tłıchǫ Government cannot make. Tłıchǫ laws will not displace federal or territorial laws; they will operate alongside each other. The Tłıchǫ Agreement includes direction on which law will apply when there is a conflict, depending on the situation.

There will be a public community government in each Tłıchǫ community established by territorial legislation. A community government will have guaranteed Tłıchǫ representation and have the power to enact laws relating to municipal matters. It will also own and manage most of the land in the community.

HARVESTING AND ACCESS: Subject to certain limitations, Tłıchǫ citizens will have harvesting rights throughout Mqwhı Gogha Dè Nııłtèè at all times of the year. They will also have the right of access to all lands in Mqwhı Gogha Dè Nııłtèè for the purpose of harvesting wildlife.

CULTURE AND HERITAGE: The agreement reflects the importance the Tłıchǫ place on the survival of their language and culture and gives them the tools to protect and sustain them. The Tłıchǫ Government will be the custodian of heritage resources on Tłıchǫ lands and will have the ability to name or rename lakes, rivers, mountains, and other geographic features on their lands.

RATIFICATION: The Tłıchǫ Agreement was ratified by Tłıchǫ eligible voters on June 26 and 27, 2003. A total of 93% of the Tłıchǫ participated in the vote, and over 84% of those who were eligible to vote were in favour of the Agreement. Now, the territorial and federal governments will need to pass legislation to bring the Tłıchǫ Agreement into force.



Beaumont/DIAND

spirituality, and traditional healing services. Additional jurisdictions will also be discussed in negotiations leading to a final agreement.

Elders, youth and community members witnessed the official signing ceremony for the Déline Self-Government AIP. Speakers acknowledged the work and guidance of elders over the years.

“I think it’s people that have been driving this self-government from previous years. The work has been done before us that kind of gave us a path to work on.... We never let go of our elders’ ideas and I think we should really congratulate the elders,” Chief Tutcho told the crowd.

Elders Paul Baton, Leon Modeste and Alfred Taniton spoke at the signing. Mr. Taniton remembers the earlier days of the land claim: “We wanted to have our own government like we did before.”

And so the people of Déline, the Government of Canada and the Government of the Northwest Territories celebrated another step in their journey

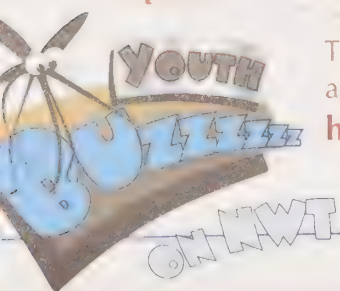
towards that shared goal. With an AIP in place, negotiators will now focus on achieving a final agreement, the last step in self-government negotiations. Once implemented, a final agreement will affect the 650 residents of Déline, as well as approximately 200 other Sahtu Dene and Métis people living outside the community.

Just Plain Fun

Land and self-government negotiations are serious business, but there is always room for a little fun. That's what this section of *Plain Talk* is about! This is where you get to have fun while learning something new.

The Tłıchǫ Agreement was signed in August. We at *Plain Talk* thought it would be a good time to do a bit of research on Tłıchǫ words. Here is what we found out, thanks to the Dogrib Treaty 11 Council.

Tłıchǫ Word	Pronunciation	Meaning
Tłıchǫ	<i>tlee-chon</i>	"Dogrib"
Mqwhì Gogha Dè Nı̄tlèè	<i>mon-fwee go-ga de-neat-lay</i>	the traditional area of the Tłıchǫ First Nation, described by Chief Monfwi during the signing of Treaty 11 in 1921
Wek'èezhìı	<i>way-keh-zi</i>	defines the "management area" of the Tłıchǫ Agreement
Behchokò	<i>bay-cho-ko</i>	Tłıchǫ name for Rae-Edzo
Whatı	<i>what-tea</i>	Tłıchǫ name for Lac La Martre
Gamètı	<i>gam-ma-tea</i>	Tłıchǫ name for Rae Lakes
Wekweètı	<i>wek-way-tea</i>	Tłıchǫ name for Snare Lake
Ezqdzìtı	<i>eh-zod-ze-tea</i>	A Tłıchǫ heritage area



There are more facts, games and activities on DIAND's Youth Buzz
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OUR VISION

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- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

You were asking...

Q. What happens after an agreement like the Tłıchǫ Agreement is signed?

A. Once an agreement is signed, the territorial and federal governments need to draft and enact legislation to bring the agreements into force. Though this marks the end of one process, it is also the beginning of another process called "implementation". While the Tłıchǫ Agreement creates a new relationship between the Tłıchǫ, territorial and federal governments, there are many steps required to make the Agreement and the new relationship a reality. A detailed document called an Implementation Plan (signed at the same time as the Tłıchǫ Agreement) lays out a roadmap for that work. The plan will take many years to complete and will be managed by representatives from each of the three governments working together.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact the address listed below.

On the web

Visit the following for more information:

Government of Canada programs and services
 Government of Canada site:
www.gc.ca

DIAND
 Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Various claims agreements
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Plain Talk on the web
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www.ainc-inac.gc.ca/nt/pt/index_e.html

Got something to tell us?

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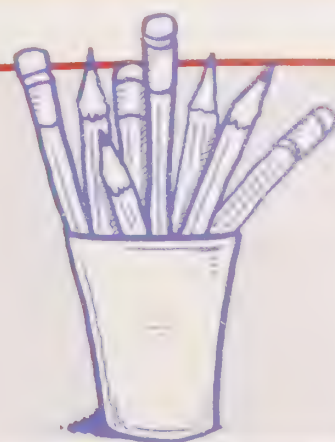
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Indian and Northern
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Affaires indiennes
et du Nord Canada

NWT Plain Talk

On Land and
Self-government

February 2004



Line Gagnon/DIAND

2003 The Year in Review

August 23, 2003 –

The children of Déline sang 'O Canada' at a ceremony marking the completion of another big step towards self-government for their community: the signing of the Déline Self-Government Agreement-in-Principle. Negotiations are now underway to complete a final agreement that will create an Aboriginal public government in the Déline District.

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A watershed year for land and self-government negotiations in the NWT

In the world of land and self-government negotiations, it can be hard to see progress from the outside. Negotiators have to tackle a wide range of complex issues and agreements can take years to complete. But when the hard work finally pays off, there is cause to celebrate.

This edition of *Plain Talk* is dedicated to celebrating the successes of 2003. It was a banner year for land and self-government negotiations in the NWT, marked by the signing of the territory's first-ever combined land claim and self-government agreement, two self-government agreements-in-principle, and a number of important interim arrangements in other regions.

Tłıchų make history

The eyes of the world were on the NWT on August 25, 2003 when the community of Rae welcomed hundreds of people, including Prime Minister Jean Chrétien, and numerous other dignitaries for the signing of the *Tłıchų Agreement*. It was an event that attracted not only national media attention, but also media from the United States, the United Kingdom and Germany.

The *Tłıchų Agreement* is the first in the NWT to combine land claim and self-

government agreements. Once the necessary federal legislation is passed, the Tłıchų will be the first Aboriginal group in the NWT to own lands and be the primary government on those lands.

A step closer to self-government in the Beaufort-Delta and Déline

The signing of an Agreement-in-Principle (AIP) means the negotiating Parties agreed on most of the major elements that will make up the final agreement. This stage often takes longer than any other part of the negotiation process, so seeing two AIPs signed in one year is a major achievement.

The Gwich'in and Inuvialuit Self-Government AIP in the Beaufort Delta was signed in Inuvik on April 16th. The Déline Self-Government AIP was signed on August 23rd in the Sahtu community of Déline. These agreements were years in the making and establish a basis for final self-government agreements that will give Aboriginal people in these regions greater decision-making powers. In both cases, land and resource issues in the region had been resolved several years ago through land claim settlement agreements. The next and final step is the negotiation and signing of a self-government agreement.

Interim measures provide clarity and comfort

A key objective of land and self-government negotiations is to clarify who owns and has rights to land and resources and how they will be managed. Ultimately, this certainty is achieved through a final agreement, but this can take many years to negotiate. That is why the Parties usually agree on a set of temporary measures that will apply while the negotiations are taking place.

These "interim measures" can include interim land withdrawals, pre-screening processes for land, water and resource management decisions, and other measures. This year, important interim measures were achieved at the Deh Cho, Akaiicho and Northwest Territory Métis Nation negotiation tables. Together, these measures are providing additional clarity and predictability in the land access and regulatory regime. This gives the Aboriginal group comfort its interests will be considered while negotiations proceed and helps create a more stable business and investment environment.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Canada

2003 The Year in Review

It was a year to remember for land and self-government negotiations in the NWT. *Plain Talk* captures some of those moments here in pictures, sums up the year's achievements and takes a look ahead.

Déline Self-Government Negotiations

The Sahtu Dene and Métis Comprehensive Land Claim (1993) gave each Sahtu community the option to negotiate its own self-government arrangement. Déline is the first Sahtu community to negotiate self-government. The negotiations involve the Déline Dene Band, the Déline Land Corporation, the Government of Canada and the Government of the Northwest Territories.

Highlight of the Year

Déline Self-Government Agreement-in-Principle (AIP) signed (Déline, August 23) – The AIP describes how an Aboriginal public government would work in the Déline District. The Déline First Nation Government (DFNG) will have law-making powers over the administration, management and operation of its government structures, as well as jurisdictions such as elections, Déline First Nation citizenship, primary and secondary education, adult education and training, local services, adoption, child and family services, social housing, income support, language, culture and spirituality, and traditional healing services.

What Next?

Final Agreement negotiations are well under way and working groups have been established to address and clarify several subject matters such as taxation, financing and implementation.



Chief Joseph Deneau signing the Déline Self-Government Agreement-in-Principle.

Beaufort-Delta Self-Government Negotiations

The Inuvialuit and the Gwich'in of the Beaufort Delta region already have settled land claims. They are now negotiating a self-government agreement together. Negotiations involve the Inuvialuit Regional Corporation, the Gwich'in Tribal Council, the Government of Canada and the Government of the Northwest Territories.

Highlight of the Year

The Agreement-in-Principle (AIP) for Beaufort-Delta self-government was signed (Inuvik, April 16) – The AIP establishes a basis for a final agreement that will give greater decision-making powers to the Gwich'in and the Inuvialuit, and to all other residents of the Beaufort-Delta as well. It describes a new government system for the region that would

include a public Regional Government, a Gwich'in Government, an Inuvialuit Government and public community governments. The AIP contains 29 chapters, covering subjects such as culture and language, education, out-of-school care, local government operations, training, health care, income support, child and family services and adoption.

What Next?

Final Agreement negotiations are underway. Negotiators will now complete the work required to get to a final agreement. The negotiating team will be visiting communities to communicate the progress of negotiations and to get input.



Susan Beaumont/DIAND

The East Three Reelers dance troupe performed a traditional Gwich'in dance at the Beaufort-Delta Self-government Agreement-In-Principle signing ceremony.

Tłı̨chǫ Negotiations

The Tłı̨chǫ negotiations involved a land claim and a self-government agreement at the same time. These negotiations were between the Dogrib Treaty 11 Council, the Government of Canada and the Government of the Northwest Territories.

Highlight of the Year

Tłı̨chǫ Agreement signed (Rae, August 25) – This Agreement is the first combined land claim and self-government agreement in the NWT. It will create the largest single block of First Nation owned land in Canada (approximately 39,000 km²), and provide new systems of self-government for the Tłı̨chǫ First Nation. The Tłı̨chǫ Government will receive approximately \$150 million, which will be paid over a

period of years. It will also receive a share of resource royalties from the Mackenzie Valley.

What Next?

The agreement has been ratified by the Tłı̨chǫ First Nations and the Government of the Northwest Territories. The **Government of Canada must now enact federal settlement legislation** in order to ratify and implement the agreement. The federal legislation is expected to be introduced into the House of Commons this spring. An **implementation plan** has been prepared and will be monitored and managed by a committee where all three Parties to the agreement are represented.



This celebration marked the signing of the Tłı̨chǫ Agreement, the first combined land claim and self-government agreement in the NWT. The signing ceremony took place in Rae, Northwest Territories.

Deh Cho Process Negotiations

The Deh Cho Process is a negotiation on land, resources and governance that involves the Deh Cho First Nations (DCFN), the Government of Canada and the Government of the Northwest Territories.

Highlights of the year

Interim Resource Development Agreement (IRDA) signed (Fort Providence, April 17) – The IRDA is a part of the Deh Cho Interim Measures Agreement signed in 2001. In it, the Government of Canada agrees to share an amount equal to a percentage of resource royalties collected in the Mackenzie Valley. The agreement requires that Canada and the DCFN work together to initiate an issuance cycle for oil and gas exploration licences within one year.

Approximately 34% of the Deh Cho region protected through Interim Land Withdrawals (August 13) – After consultations with Deh Cho community members and third parties, such as

mining companies, environmental groups, prospectors and oil and gas companies, a withdrawals map was finalized. Certain areas of the Deh Cho territory are now protected from new development for five years, while other areas remain open for new development.

Deh Cho Process website launched (April) – The address of this Government of Canada site is www.ainc-inac.gc.ca/DehCho.

What next?

The Government of Canada and the DCFN will continue their work to **implement the oil and gas issuance cycle required by the IRDA**.

Agreement-in-Principle (AIP) negotiations are underway. Negotiators will be discussing long-term options for land, resource and governance arrangements and hope to reach an AIP in the next three to four years.



Clayton Balsillie/DIAND

People travelled to Fort Providence from all over the Deh Cho region to celebrate the completion of their Interim Land Withdrawals and the signing of the Deh Cho Interim Resource Development Agreement. Before the signing, they gathered at the harbour to give thanks and feed the fire.

Akaiicho (NWT Treaty 8) Negotiations

The Akaiicho (NWT Treaty 8) negotiations focus on land, resources and governance. The Parties to the negotiation are the Akaiicho Territory Dene First Nations, the Government of Canada and the Government of the Northwest Territories.

Highlight of the year

Progress on implementing Interim Measures Agreement (IMA) – The IMA establishes temporary arrangements that clarify the role of the Akaiicho Dene First Nations in resource management decisions in their region while an agreement is

being negotiated. Pre-screening processes are being developed to lay out how the Akaiicho Dene First Nations will be consulted on applications for water licences and land use permits. A process for the Disposition of Surface Federal Crown Lands is now in place.

What next?

Agreement-in-Principle (AIP) negotiations will address outstanding land, resource, and governance issues. The current focus for negotiations is on resolving land-related issues.



The NWT Treaty 8 Tribal Corporation launched a new website in 2003 that provides information about their negotiations on-line.

Northwest Territory Métis Nation Process Negotiations

The Northwest Territory Métis Nation Process is a unique process for Métis people indigenous to the South Slave region prior to 1921 and their descendants. It is a two-stage negotiation with a land and resources AIP in stage one, followed by the negotiation of self-government in stage two which may begin when the land and resources AIP is signed. The parties to negotiation are the Northwest Territory Métis Nation (NWTMN), the Government of Canada and the Government of the Northwest Territories.

Highlight of the year

Interim Measures Schedules completed – The NWTMN Interim Measures Agreement established temporary arrangements that clarify the role of the NWTMN in resource management

decisions while negotiations are taking place. To give effect to this agreement Schedules outlining pre-screening processes were developed in eight areas: Land Use Permits; Water Licences; Surface Federal Crown Lands; National Parks and Protected Areas; Territorial Parks; Commissioner's Lands; Travel and Tourism; and Forest Management.

What next?

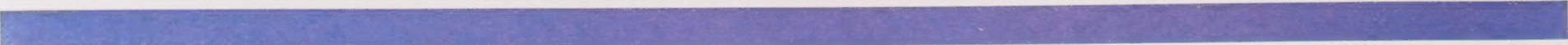
Agreement-in-Principle (AIP) negotiations are underway and a draft AIP is anticipated this fall. The NWTMN will then consult their members on the draft.



NWTMN photo

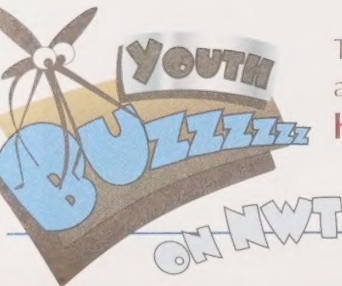
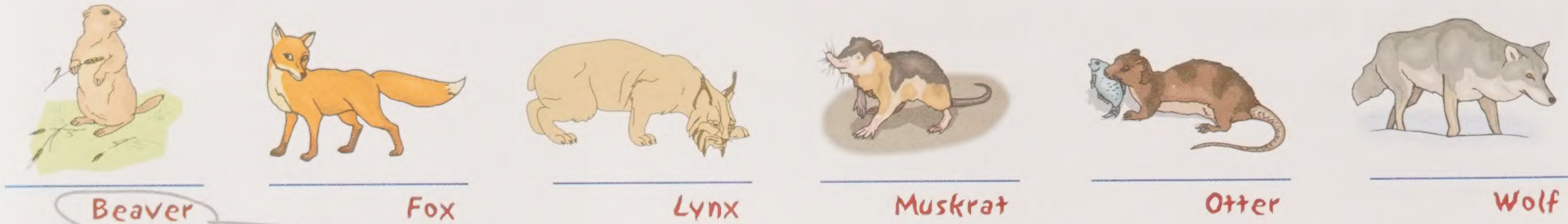
The NWTMN Process negotiations take place monthly. Negotiations are now focusing on reaching an Agreement-in-Principle on land and resources.

Readers can find out more about these negotiations and their achievements by reading past issues of *Plain Talk* on the web at www.ainc-inac.gc.ca/nt/pt or on the Department of Indian Affairs and Northern Development's website at nwt-tno.inac-ainc.gc.ca.



Just Plain Fun

Winter is upon us. The ground is blanketed in snow and you decide to go out for a stroll, but you soon realize that you're not the only one who is out for a walk! There are 6 different sets of tracks in the snow. Do you know which tracks belong to which animal? Draw a line from the tracks to the animal you think it belongs to.



There are more facts, games and activities on DIAND's Youth Buzz
<http://nwt.inac.gc.ca/youthbuzz>

Answers
A. Lynx
B. Otter
C. Muskrat
D. Wolf
E. Fox
F. Beaver

You were asking...

Q. What is the Powley decision?

A. On September 19, 2003, the Supreme Court of Canada handed down its decision in the case of R. v. Powley. It found that the Métis community at Sault Ste. Marie has a constitutionally-protected right to hunt for food. It is an important ruling because it was the first Supreme Court judgment to address the question of whether Métis communities can possess Aboriginal rights under section 35 of the *Constitution Act, 1982* and provided a legal test to identify Métis communities. Government will be working with Métis organizations to understand the decision and its impacts. You can read the Powley decision on the web. Supreme Court of Canada rulings are posted at www.lexum.umontreal.ca/csc-scc/en/rec/index.html, or call the Court Records Office at (613) 996-7933.

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact the address listed below.

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

On the web

Visit the following for more information:

Government of Canada programs and services
Government of Canada site:
www.gc.ca

DIAND
Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Various claims agreements
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk on the web
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html

Got something to tell us?

Here's who to contact:

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